

TEXT OF AMENDMENTS TO HOUSE BILL 4591

AMENDMENT NO. 1 CONSOLIDATED “LICENSING”

Ms. Hogan of Stow moves to amend House No. 4591 in section 12, in subsection 17 by adding the following:-

“(e) The applicant shall be bound by a good faith effort to implement the proposals in section 19 if an applicant is selected for a category 1 license.” ; and

by striking out subsection 19 and inserting in place thereof the following subsection:-

“Section 19. In determining whether an applicant should receive a gaming license, the commission shall require each application submitted to include proposals to advance the following objectives:

(1) protecting the lottery from any adverse impacts due to expanded gaming, including, but not limited to, developing cross-marketing strategies with the lottery and increasing ticket sales to out-of-state residents;

(2) promoting local businesses in host and surrounding communities, including developing cross-marketing strategies with local restaurants, hotels, retail outlets and performing arts organizations;

(3) implementing a workforce development plan to utilize the existing labor force in the commonwealth, including the estimated number of construction jobs a proposed gaming establishment will generate, the development of workforce training programs that serve the unemployed, and methods for accessing employment at the gaming establishment;

(4) building a gaming establishment of high caliber with a variety of quality amenities to be included as part of the gaming establishment and operated in partnership with any local hotels, dining, retail and entertainment facilities so that patrons experience the diversified regional tourism industry;

(5) taking additional measures to address problem gambling, including, but not limited to, training of gaming employee to identify patrons exhibiting problems with gambling and prevention programs targeted toward vulnerable populations;

(6) providing a market analysis detailing the benefits of the site location of the gaming establishment and the estimated recapture rate of gaming-related spending by residents travelling to out-of-state gaming establishments;

(7) utilizing sustainable development principles, including, but not limited to: (1) being certified or capable of being certified as gold or higher pursuant to the U.S. Green Building Council Neighborhood Development Rating System, the green building rating system established by the Leadership in Environmental and Energy Design, or an alternative rating system approved by the executive office of energy and environmental affairs; (2) meeting United States Environmental Protection Agency efficiency standards for the electrical equipment and appliances used by the resort casino; and (3) procuring 10 per cent of its annual electricity consumption from renewable sources identified by the division of energy resources pursuant to section 11F of chapter 25A;

(8) establishing, funding, and maintaining human resource hiring and training practices that promote the development of a skilled and diverse workforce and access to promotion opportunities through a workforce training program that: (1) establishes transparent career paths with measurable criteria within the gaming establishment that lead to increased responsibility and higher pay grades that are designed to allow employees to pursue career advancement and promotion; (2) provides employee access to

additional resources, such as tuition reimbursement or stipend policies, to enable employees to acquire the education or job training needed to advance career paths based on increased responsibility and pay grades; and (3) establishes an on-site child day care program; and

(9) contracting with local business owners for the provision of services and goods to the gaming establishment, including developing plans designed to assist businesses in the commonwealth in identifying the needs for goods and services to the establishment.”

AMENDMENT NO. 2 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Sullivan of Fall River moves to amend the bill (House, No. 4591) in section 11, in line 80, after the word “unit”, the following “that will include members of the host community police department”.

AMENDMENT NO. 3 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Sullivan of Fall River moves to amend the bill (House, No. 4591) in section 11, in line 87, after the words “chapter 23K”, the second time it appears, the following “and the host community’s police department’s ten designated gaming officers to be chosen by its police chief.”

AMENDMENT NO. 4 ADOPTED

Mr. O’Flaherty of Chelsea moves to amend the bill in section 34, after line 3453, by inserting the following paragraph:

“(e) The timely filing of complete and accurate reports required under subsection (a) with the appropriate federal agency is compliance with the requirements of subsection (a).”

AMENDMENT NO. 5 CONSOLIDATED “LICENSING”

Mr. Straus of Mattapoisett hereby moves to amend H 4591 in Section 19(b)(i)(1), by inserting after the word “Design,” the following words:

- “gold or higher pursuant to the National Green Building Standard, a Three Globe rating or higher pursuant to the Green Globes rating system,”

AMENDMENT NO. 6 REJECTED – ROLL CALL # 321

Representative Sandlin of Agawam moves to amend House 4591 by adding at the end “at least one of the casinos shall be located in Hampden, Hampshire, Franklin or Berkshire county.”

AMENDMENT NO. 7 CONSOLIDATED “GENERAL GAMING, REGULATION”

Representative Dempsey of Haverhill moves that the bill be amended in section 12, in lines 2695 to 2704, inclusive, by striking out the paragraph in those lines.

AMENDMENT NO. 8 CONSOLIDATED “GENERAL GAMING, REGULATION”

Ms. Peisch of Wellesley moves to amend House Bill No. 4591 in Section 12, subsection 33, in lines 2310 and 2311, by striking out “and the gaming enforcement unit of the department of state police” and inserting in place thereof “, the gaming enforcement unit of the department of state police, and the local police department from the host community”.

AMENDMENT NO. 9 CONSOLIDATED “LICENSING”

Mr. Evangelidis of Holden moves to amend House Bill 4591 by adding the following section:-
Section XX. Any category one, category two or category three casino or any other gaming establishment licensed under this act may not establish an entertainment venue on or in close proximity to the premise for the purpose of providing live entertainment including but not limited to Broadway or Broadway type plays, any theatrical performances of a musical, non-musical or comedic variety, plays, comedy shows, musical performances and concerts with seating capacity exceeding 1000 persons.

AMENDMENT NO. 10 WITHDRAWN

Mr. Evangelidis of Holden moves to amend House Bill 4591 by adding the following section:-
Section XX. Any restaurant located within 25 miles of any licensed category 1, category 2 or category 3 casino shall be subject to a reduced 2.5% meals tax. This provision shall not apply to any restaurant located on the casino property, or any restaurant affiliated with the casino.

AMENDMENT NO. 11 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Evangelidis of Holden moves to amend House Bill 4591 by adding the following section:-
Section XX. The State Police, local police department of the host community or a designee will be charged with establishing random sobriety checkpoints located at the exit of each licensed casino no less than five times per week.

AMENDMENT NO. 12 CONSOLIDATED “SITING”

Mr. Evangelidis of Holden moves to amend House Bill 4591 by adding the following section:-
Section XX. No casino shall be licensed to be located within 10 miles of any college or university that has more than 1000 students who live on campus.

AMENDMENT NO. 13 CONSOLIDATED “SITING”

Mr. Evangelidis of Holden moves to amend House Bill 4591 in paragraph (a) of subsection 20 of the proposed SECTION 12 in line 1480 by inserting after the words “pursuant to section 1” the following:-
“,provided that a category 1, category 2, or category 3 license shall not be granted when another license for a category 1, category 2 or category 3 casino has previously been issued within that county.”

AMENDMENT NO. 14 CONSOLIDATED “LICENSING”

Mr. Evangelidis of Holden moves to amend House Bill 4591 in paragraphs (d) and (e) of subsection 20 in the proposed SECTION 12 in lines 1497-1517, inclusive, by striking the language in those paragraphs.

AMENDMENT NO. 15 CONSOLIDATED “LICENSING”

Mr. Evangelidis of Holden moves to amend House Bill 4591 in subsection 2 of the proposed SECTION 12 by striking the figure “750” in lines 172 and 175 and inserting in place thereof the figure “250”

AMENDMENT NO. 16 REJECTED – ROLL CALL # 330

Mr. Evangelidis of Holden moves to amend House Bill 4591 in paragraph (d) of subsection 3 of the proposed SECTION 12 in line 501 by inserting after the word “commission” the following:-
, provided that the annual salary of the executive director does not exceed \$125,000 per year”

AMENDMENT NO. 17 CONSOLIDATED “LICENSING”

Mr. Evangelidis of Holden moves to amend House Bill 4591 in paragraph (a) of subsection 16 of the proposed SECTION 12 in line 1158 by inserting after the word “binding” the following:-
“2/3 majority”

AMENDMENT NO. 18 CONSOLIDATED “SITING”

Mr. Evangelidis of Holden moves to amend House Bill 4591 in paragraph (g) of subsection 20 in the proposed SECTION 12, lines 1529-1540, inclusive, by striking the paragraph in those lines.

AMENDMENT NO. 19 CONSOLIDATED “LICENSING”

Mr. Evangelidis of Holden moves to amend House Bill 4591 in paragraph (f) of subsection 20 of the proposed SECTION 12 in line 1524 by striking the figure “5” and inserting in place thereof the figure “10”

AMENDMENT NO. 20 CONSOLIDATED “LICENSING”

Representative Puppolo of Springfield moves to amend House 4591 at the end or in section 12,

subsection 19,a,ii :

The applicant's proposal should provide that the facility will not be marketed or used as a venue for Broadway-type plays or theatrical performances of a musical or non-musical variety; except that this limitation shall not prevent the facility from being marketed to hold, and from holding, fairs, concerts, comedy shows, sporting and other entertainment events which are open generally to the public and if held in an indoor entertainment space operating on gaming venue premises, with no stage house, with a fixed or non-fixed seating capacity not to exceed 1,000 people for musical concerts and comedy shows, and with no restriction on seating capacity for other events

AMENDMENT NO. 21 CONSOLIDATED "LICENSING"

Representative Puppolo of Springfield moves to amend House 4591 section 12, subsection 2; where definitions of terms are provided:

"Entertainment space operating on gaming venue premises", a building or part thereof, operating on the site of a gaming venue, in which is intended the presentation of performances for the entertainment of spectators, which has a seating capacity of more than fifty, with a stage or area which can be used for scenery and other appliances.

AMENDMENT NO. 22 ADOPTED

Mr. Sullivan of Fall River moves to amend House Bill 4591 by adding the following section:

"SECTION. The small business economic rebate/coupon program will help to mediate impacts to small businesses existing within a 2 mile radius of an established resort casino in the Commonwealth, regardless of city or town boundaries. The rebates or coupons will be used for those businesses that provide similar services and goods available at the resort casino complex and being impacted by its direct competition Revenues generated by the Host Resort Casino will fund this program at an amount that shall not be less than \$ 3,000,000 per year to be increased on a 5 year basis provided that revenues increase. A formula shall be established for such increases by an objective oversight committee to be created by commission recommendations.

A commission shall be established that will include representation by the host communities, 3 from the Chamber of Commerce and other independent host community business organizations. There shall be an appointment of additional 2 members to the commission by the host community's appointing authority (Mayor or Selectmen).

The commission's task will be to promulgate rules and regulation to adequately and fairly govern the ECONOMIC REBATE/COUPON MEDIATION PROGRAM FOR SMALL BUSINESSES. The commission will come up with recommendation on how businesses that may be outside the borders of the host community but fall within the two mile radius of the resort casino can participate and benefit from such program if deemed eligible. Also, recommend a permanent entity to govern said program and the method for the selection of its members. Rebates and coupons will be distributed at convenient locations to be determined by the programs' board."

AMENDMENT NO. 23 REJECTED

Mr. Sullivan of Fall River moves to amend House Bill 4591, of Chapter 23K of the General Laws, as inserted by Section 12, by inserting after Section 14 the following:

SECTION 14A. There shall not be allowed in the Commonwealth any federally recognized Native American tribe operating any gaming facility as a sovereign nation.

AMENDMENT NO. 24 CONSOLIDATED "REVENUE"

Mr. Murphy, Mr. Golden, and Mr. Nangle of Lowell moves to amend the bill in section 12, in line 2974, by striking out the figures "\$15,000,000" and inserting in placed thereof the figures "\$30,000,000"; and in line 3006, by striking out the following words, "Two per cent" and inserting in place the following words: "Four per cent" and in line 3009, by striking out the figure "\$15,000,000" and inserting in placed thereof the figures "\$30,000,000 and in line 3072 by striking out the figures "\$15,000,000" and inserting in

placed thereof figures “30,000,000”; and inserting after line 3086 the following paragraph:
”Fifty percent of all amounts in the community mitigation fund shall be distributed on a quarterly basis, equally, to Massachusetts’ existing large not-for-profit performing arts centers, defined as those organizations: 1) owning or operating one or more venues of 2,000 or more seats per performance space, 2) operating under Internal Revenue Service 501(c)(3) tax exempt status; or, operating as a municipally owned facility where 80% or more of the facility’s total square footage is used exclusively for the purpose of presenting performance events for the public, and 3) presenting an average of 100 or more public events per year. As of the writing of this amendment, the five organizations meeting the above description are as follows: CitiCenter (Wang Theatre, Boston); City of Lowell (Lowell Memorial Auditorium); CityStage (Symphony Hall, Springfield); South Shore Playhouse Associates (Cape Cod Melody Tent, South Shore Music Circus); and Worcester Center for Performing Arts (The Hanover Theatre).”

AMENDMENT NO. 25 CONSOLIDATED “REVENUE”

Mr. Murphy, Mr. Golden and Mr. Nangle of Lowell moves to amend the bill in Section 7, line 867, by striking out the figure “\$5,000,000” and inserting in place thereof the figure “\$25,000,000” and; in line 869 after the word “of” insert the words “increased public safety,”

AMENDMENT NO. 26 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Fresolo of Worcester moves to amend House Bill 4591 by adding the following section:
SECTION XX: All those employees of the state racing commission who are employed on June 1, 2010, are hereby transferred to the Massachusetts Gaming Commission, without interruption of service within the meaning of MGL c. 30, Section 9J, without impairment of seniority, civil service permanency, retirement or other rights of the employee, and without reduction in compensation or salary grade, and benefits, and without change in union representation or certified collective bargaining unit. Any collective bargaining agreement in effect immediately before the transfer date shall continue in effect and the terms and conditions of employment therein shall continue as if the employees had not been transferred.

AMENDMENT NO. 27 REJECTED

Representative Puppolo of Springfield moves to amend House 4591 Chapter 23K Section 3 subsection (b):

By inserting the following after “resident of the Commonwealth” in line 436; “provided further that one member of the Commission shall reside in one of the four counties of western Massachusetts which is defined as Hampden, Hampshire, Franklin, or Berkshire counties.”

AMENDMENT NO. 28 CONSOLIDATED “LICENSING”

Representative Puppolo of Springfield moves to amend House 4591 to add the following section:

Section XXX. Any category one, two or three casino or any other casino licensed under this act may provide, or allow to be provided by a third party, live entertainment in an entertainment venue on or in close proximity to the premise, with the following restrictions:

1. Any contract executed between a casino operator and an entertainer or theatrical show, comedy show or musical concert may not include any restrictions on future engagements of said entertainer based on geographical proximity to the site of the gaming venue or a specified time span in relation to the date of the engagement or engagements.
2. Once a casino operator has held, or allowed to be held by a third party, a performance by a specific entertainer or show; the casino operator may not hold, or allow to be held by a third party, a return engagement by the same entertainer or show, or substantially the same entertainer or show; until that entertainer or show has been presented in public, ticketed performances at two or more non-casino performance venues in Massachusetts.
3. A casino operator shall not hold, or allow to be held by a third party, more than two consecutive

performances of a Broadway-type play or theatrical performance of a musical or non-musical variety in a single engagement, or in a time span of 30 days or less.

AMENDMENT NO. 29 CONSOLIDATED “REVENUE”

Mr. Lewis of Winchester moves House Bill 4591 be amended as follows:

Section : Section 59 of Chapter 23K of the General Laws is hereby amended by adding the following sentence:-

“Proceeds from the Education Fund will be used to support K-12 educational needs in local school districts including, but not limited to, classroom technology, special education and teacher professional development, and will not be used to reduce the appropriation from the General Fund to meet the Commonwealth’s obligation under Chapter 70 of the General Laws to fund all school districts to their Foundation Budget level.”

AMENDMENT NO. 30 CONSOLIDATED “LICENSING”

Mr. Lewis of Winchester moves House Bill 4591 be amended as follows:

SECTION . Section 14 of chapter 23K of the General Laws, as inserted by section 12 is hereby amended by adding the following subsection:-

(9) shall utilize sustainable development principles, including, but not limited to: (1) being certified or capable of being certified as gold or higher pursuant to the U. S. Green Building Council Neighborhood Development Rating System, the green building rating system established by the Leadership in Environmental and Energy Design, or an alternative rating system approved by the executive office of energy and environmental affairs; (2) meeting United State Environment Protection Agency efficiency standards for the electrical equipment and appliances used by the resort casino; and (3) procuring a minimum of 10 percent of its annual electricity consumption from renewable sources identified by the division of energy resources pursuant to section 11F of Chapter 25A;

SECTION . Section 19 of chapter 23K of the General Laws, as inserted by section 12, is hereby amended by striking out paragraph (1) of subsection (b)

AMENDMENT NO. 31 REJECTED

Mr. Lewis of Winchester moves House Bill 4591 be amended as follows:

SECTION . The definition of “slot machine” in section 2 of chapter 23K of the General Laws, as inserted by section 12 is hereby amended by adding the following paragraph:-

All slot machines must be affixed with a sticker or label delineating 1.The addictive nature of slot machines, 2. information regarding the programming and therefore non-randomness of slot machines, and 3.compulsive gambling hotline number. These stickers or labels must be affixed to the front of the machine, in plain sight of the machine user and of sufficient size to be easily read.

AMENDMENT NO. 32 CONSOLIDATED “REVENUE”

Mr. Lewis of Winchester moves House Bill 4591 be amended as follows:

SECTION . Section 52 Subsection 1 of chapter 23K of the General Laws, is hereby amended by adding the following subsection:-

A sum of \$250,000 will be allocated for the design and completion of an adequacy study on the current status of the public education financing system in the commonwealth as it currently exists as required by Section 16 of Chapter 12 of the Acts of 2010.

AMENDMENT NO. 33 REJECTED

Ms. Richardson of Framingham moves to amend the bill by inserting after section 12, subsection 9 the following section:

“SECTION 9a. The executive office of health and human services shall conduct a comprehensive study of trends in all human service programs and shall examine all services provided by the commonwealth to

evaluate which populations have the greatest need for services, to what degree those populations are served by the programs created as well as by other existing services, and shall develop strategies for serving all underserved segments of the population.

The study shall also include program density throughout the commonwealth and the fiscal impact of these programs on cities and towns.

In addition the executive of health and human services working with the department of public safety shall review program evaluations, certifications and program standards and make recommendations on needed program change.

The office and department shall issue a report to the general court of its study by filing same with the clerk of the House of Representatives on or before January 31, 2012.”

AMENDMENT NO. 34 REJECTED

Ms. Richardson of Framingham moves to amend the bill by inserting after section 12, subsection 9 the following section:

“SECTION 9a. The executive office of health and human services shall conduct a comprehensive study of trends in human service programs in the Metrowest Region which shall consist of Ashland, Framingham, Holliston, Hopkinton, Natick, Southborough, Sudbury, Wayland and Westborough, and shall examine all services provided by the commonwealth to evaluate which populations have the greatest need for services, to what degree those populations are served by the programs created as well as by other existing services, and shall develop strategies for serving all underserved segments of the population. The study shall also include program density throughout the region and the fiscal impact of these programs on the cities and towns.

In addition the executive of health and human services working with the department of public safety shall review program evaluations, certifications and program standards and make recommendations on needed program change.

The office and department shall issue a report to the general court of its study by filing same with the clerk of the House of Representatives on or before January 31, 2012.”

AMENDMENT NO. 35 CONSOLIDATED “LICENSING”

Ms. Richardson of Framingham moves to amend the bill in section 12, subsection 19 (a) (ii), in the line 1417, by inserting after the word “organizations;” the words

“The applicant’s proposal should provide that the casino operator will make quarterly deposits, at the end of each calendar quarter, into a “Performing Arts Center Fund” under the control of the Massachusetts Gaming Commission, an amount equal to 50% of the total spent by the casino operator, related entities or assigns, on performance fees, commissions and royalties for all events held at all entertainment spaces of 1,000 or more seats operating on gaming venue premises during the prior quarter. For events where performance fees or royalties are paid by an outside promoter or other unrelated entity, the casino operator shall deposit into the Performing Arts Center Fund an amount equal to 50% of the total amount received by the casino operator from the promoter or other unrelated entity, in rental fees, share of ticket sales or other amounts. All amounts in the Performing Arts Center Fund will be distributed on a quarterly basis, equally, to Massachusetts’ not-for-profit performing arts centers, defined as those organizations: 1) owning or operating one or more venues of 100 or more seats per performance space, 2) operating under Internal Revenue Service 501(c)(3) tax exempt status; or, operating as a municipally owned facility used for the purpose of presenting performance events for the public.”

AMENDMENT NO. 36 CONSOLIDATED “REVENUE”

Representatives Sandlin of Agawam and Gobi of Spencer move to amend H 4591 after line 3020 by inserting after subsection f the following new subsection:

“(g) One half of one percent shall be transferred to the Massachusetts 4H Foundation.”

AMENDMENT NO. 37 CONSOLIDATED “LICENSING”

Representative Basile of East Boston and Representative Reinstein of Revere further move that House Bill No. 4591 be amended as follows:

Section 16(a) of Section 12 is hereby amended by inserting at the end of the first sentence thereof the following:

“; provided further that, for purposes of this section only, if the category 1 facility will be located in a city of two hundred fifty thousand or more residents, “host community” shall be deemed to mean only the ward in which the category 1 facility will be located”.

And further move that Section 16(b) of Section 12 is hereby amended by deleting after the words “other city the mayor” appearing in the sixth line thereof the following words: “and city council”.

And further move that Section 14(7) of Section 12 is hereby amended by inserting at the end thereof the following:

“provided further that such agreement between the host community and the applicant need only be approved on behalf of the host community by a majority of members of the town council, or in a city having a Plan D or Plan E charter, the city manager and the city council and in any other city the mayor and in towns a majority vote of those present and voting at a town meeting and approval by the board of selectmen”.

AMENDMENT NO. 38 CONSOLIDATED “GENERAL GAMING, REGULATION”

Ms. Peisch of Wellesley moves to amend House Bill No. 4591 in section 12, subsection 27 by adding the following:-

(k) Each gaming facility shall be required to make public the payback percentage on slot machines within the establishment by labeling every slot machine with the percentage of payback for that machine. The commission shall ensure that all gaming facilities in the commonwealth comply with posting the accurate payback percentage on slot machines.

AMENDMENT NO. 39 CONSOLIDATED “LICENSING”

Mr. Alicea of Charlton moves to amend House Bill 4591 by adding the following section:-

Section XX. Any category 1, 2 or 3 casino or any other casino licensed under this act may provide, or allow to be provided by a third party, live entertainment in an entertainment venue on or in close proximity to the premise, with the following restrictions:

(1) Any contract executed between a casino operator and an entertainer or theatrical show, comedy show or musical concert may not include any restrictions on future engagements of said entertainer based on geographical proximity to the site of the gaming venue or a specified time span in relation to the date of the engagement or engagements.

(2) Once a casino operator has held, or allowed to be held by a third party, a performance by a specific entertainer or show; the casino operator may not hold, or allow to be held by a third party, a return engagement by the same entertainer or show, or substantially the same entertainer or show; until that entertainer or show has been presented in public, ticketed performances at two or more non-casino performance venues in Massachusetts.

(3) A casino operator shall not hold, or allow to be held by a third party, more than two consecutive performances of a Broadway-type play or theatrical performance of a musical or non-musical variety in a single engagement, or in a time span of 30 days or less.

AMENDMENT NO. 40

Mr. O’Flaherty of Chelsea moves to amend the bill by adding the following section:

“SECTION 77. Section 1. Quinn Bill Study Commission. There is hereby established a Special Commission to investigate and report on the feasibility of establishing and maintaining a revised law enforcement career educational incentive program. Said Commission shall file its report and recommendations, if any, by January 15, 2011. Said Commission may elect to extend the deadline for the filing of its report to no later than March 1, 2011. The Commission shall file its report with the Clerks

of the House and Senate, the Governor, the Speaker of the House, the President of the Senate, the Chairpersons of the House and Senate Committees on Ways and Means, and the Chairpersons of the Joint Committee on Public Safety.

Section 2. The Commission shall consider all matters related to education incentives for law enforcement personnel and shall specifically report on the feasibility and anticipated benefits of (1) establishing minimum educational qualification for all police officers hired after July 1, 2011; (2) the substitution of an annual fixed sum to be paid as career incentive compensation for bachelor's, master's, and doctorate degrees in place of the existing salary percentages contained in M.G.L. chapter 108-L; (3) the establishment of continuing periodic educational requirements in order to maintain eligibility for career educational incentive compensation; and (4) the role and responsibility of the Board of Higher Education in reviewing and approving the adequacy, relevance, rigor, and content of approved police educational incentive degree programs.

Section 3. The Commission shall be made up of a designee of the Governor, three members of the House to be appointed by the Speaker, three members of the Senate to be appointed by the Senate President, a designee of the Mass. Municipal Association, a designee of the Mass. Mayors' Association, a designee of the Board of Higher Education, and two designees of the professional law enforcement community, retired or active, as recommended by a coalition of public safety organizations comprised of the following: Mass COP, the Boston Police Patrolmen's Association, the Mass. Police Association, the I.B.P.O., the Mass. Police Chiefs Association, the Boston Police Superior Officers' Association, and the Boston Police Detectives' Association. If, within fifteen (15) days of the passage of this act, said coalition fails to recommend said law enforcement professionals as designees to the Commission, then the Governor shall appoint two law enforcement professionals, retired or active, to said Special Commission. The Senate President shall designate one of the three Senate appointees to act as Chairman of the Commission.

AMENDMENT NO. 41 CONSOLIDATED "GENERAL GAMING, REGULATION"

Mr. O'Flaherty of Chelsea moves to amend the bill in section 11, in line 84, by inserting after the word "unit" the words: "that shall include members of the police departments of the host communities."

AMENDMENT NO. 42 CONSOLIDATED "GENERAL GAMING, REGULATION"

Mr. O'Flaherty of Chelsea moves to amend the bill in section 12, in line 2290, by striking out the words "or any activity taking place on the premises of a gaming establishment" and inserting after the word "licensee" the words: "or any other person".

AMENDMENT NO. 43 CONSOLIDATED "GENERAL GAMING, REGULATION"

Mr. O'Flaherty of Chelsea moves to amend the bill in section 12, in line 2294, by inserting after the word "police" the words: "and the host communities".

AMENDMENT NO. 44 CONSOLIDATED "GENERAL GAMING, REGULATION"

Mr. O'Flaherty of Chelsea moves to amend the bill in section 12, in line 2312, by striking out the word "criminal" and inserting after the word "violation" the words: "of this Chapter".

AMENDMENT NO. 45 CONSOLIDATED "GENERAL GAMING, REGULATION"

Mr. O'Flaherty of Chelsea moves to amend the bill in section 12, in line 2313, by striking out the words: "under this Chapter".

AMENDMENT NO. 46 CONSOLIDATED "REVENUE"

Mr. O'Flaherty of Chelsea moves to amend the bill in section 12, after line 3101, by inserting after the words "appropriation act" the following sentence: "Provided further that 7.5% of the annual proceeds from the gaming local aid fund shall be dedicated to payments required under ch.108L."

AMENDMENT NO. 47 CONSOLIDATED “LICENSING”

Ms. Gobi of Spencer and Ms. Forry of Boston move to amend the bill, H.4591, in subsection 19 (a), in Section 12 by adding at the end of paragraph (vii) the following new paragraph:

(viii) “The applicant’s proposal should provide that the facility will not be marketed or used as a venue for Broadway-type plays or theatrical performances of a musical or non-musical variety; except that this limitation shall not prevent the facility from being marketed to hold, and from holding, fairs, concerts, comedy shows, sporting and other entertainment events which are open generally to the public and if held in an indoor entertainment space operating on gaming venue premises, with no stage house, with a fixed or non-fixed seating capacity not to exceed 1,000 people for musical concerts and comedy shows, and with no restriction on seating capacity for other events.”

AMENDMENT NO. 48 CONSOLIDATED “LICENSING”

Ms. Gobi of Spencer and Ms. Forry of Boston move to amend the bill, H.4591, in subsection 2, of Section 12, by inserting after line 210 the following:

“Entertainment space operating on gaming venue premises”, a building or part thereof, operating on the site of a gaming venue, in which is intended the presentation of performances for the entertainment of spectators, which has a seating capacity of more than fifty, with a stage or area which can be used for scenery and other appliances.

AMENDMENT NO. 49 CONSOLIDATED “LICENSING”

Ms. Coakley-Rivera of Springfield moves to amend House Bill 4591 by inserting the following section:-
Section X. Any category 1, 2 or 3 casino or any other casino licensed under this act may provide, or allow to be provided by a third party, live entertainment in an entertainment venue on or in close proximity to the premise, with the following restrictions:

(a) Any contract executed between a casino operator and an entertainer or theatrical show, comedy show or musical concert may not include any restrictions on future engagements of said entertainer based on geographical proximity to the site of the gaming venue or a specified time span in relation to the date of the engagement or engagements.

(b) Once a casino operator has held, or allowed to be held by a third party, a performance by a specific entertainer or show; the casino operator may not hold, or allow to be held by a third party, a return engagement by the same entertainer or show, or substantially the same entertainer or show; until that entertainer or show has been presented in public, ticketed performances at 2 or more non-casino performance venues in Massachusetts.

(c) A casino operator shall not hold, or allow to be held by a third party, more than 2 consecutive performances of a Broadway-type play or theatrical performance of a musical or non-musical variety in a single engagement, or in a time span of 30 days or less.

AMENDMENT NO. 50 ADOPTED

Ms. Coakley-Rivera of Springfield moves to amend House Bill 4591 in section 12, in line 1514, by striking out the word “and” and inserting in place thereof the word “or”.

AMENDMENT NO. 51 REJECTED – ROLL CALL # 334

Mr. D’Amico of Seekonk moves to amend H4591 by adding at the end thereof the following section:
“SECTION. Notwithstanding any general or special law to the contrary, each gaming establishment licensed to operate in the Commonwealth of Massachusetts must post in a conspicuous place at each electronic gaming machine the odds of each winning combination in at least 18 point type.”.

AMENDMENT NO. 52 REJECTED

Mr. D’Amico of Seekonk moves to amend H4591 by adding at the end thereof the following section:

“SECTION. Notwithstanding any general or special law to the contrary, no gaming establishment

licensed to operate in the Commonwealth of Massachusetts may bar a player from participating in any game or service offered to the public on the basis of that player's success in gaming when that success is due solely to the player's own skill, unaided by other individuals, or mechanical or electronic devices. A documented willful violation and/or a demonstrated pattern of violations of this provision shall be considered just cause for revocation of license to operate.”.

AMENDMENT NO. 53 REJECTED

Mr. D’Amico of Seekonk moves to amend H4591 by adding at the end thereof the following section: “SECTION. Notwithstanding any general or special law to the contrary, gaming establishments licensed to operate in the Commonwealth of Massachusetts must include in each solicitation, whether verbal, electronic, e-mail based, web based, advertising, video, audio, direct mail, or any other means, including both those directed to a specific individual or to a mass market, a description of the warning signs of problem gambling and information on where and how to seek help, hereafter referred to as the “problem gambling messages.” The problem gambling messages must be prominently featured and may not be obscured by the speed of delivery, small type, placement, or any other means. It must be made no less conspicuous or less comprehensible than the solicitation message itself. The Gaming Commission shall, in consultation with recognized gambling addiction experts, and after a series of at least three public hearings held in different regions of the Commonwealth, develop and approve the standard problem gambling messages.”.

AMENDMENT NO. 54 FURTHER PRECLUDED

Representative Turner of Dennis moves to amend House 4591 by adding at the end of Section 55 of SECTION 12 the following language:

Notwithstanding any law or regulation to the contrary, beginning the first year that Gaming Local Aid funding is available for distribution to cities and towns, no city or town shall receive as a combination of “General Revenue Sharing Aid” and “Gaming Local Aid”, in any year, an amount that is less than 25 percent of the total lottery sales made within that community.

AMENDMENT NO. 55 REJECTED

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Chapter 23K, Section 2, after line 176, by inserting the following section: “”Category 4 license”, a license issued by the local licensing authority to a recognized 501(c) organization, or one duly organized in the Commonwealth for charitable purposes, to operate up to 4 slot machines per location.”

AMENDMENT NO. 56 CONSOLIDATED “LICENSING”

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Chapter 23K, Section 7, after line 877, by inserting the following section: “(g) Notwithstanding other provisions of this act, the commission shall not have any authority or jurisdiction over category 4 licenses. Local licensing authorities shall have exclusive jurisdiction and enforcement authority over category 4 licenses, and all fees and assessments shall be retained by the host community.”

AMENDMENT NO. 57 CONSOLIDATED “LICENSING”

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Section 17, Chapter 23K, Section 16, after line 1194 by inserting the following section: “(d) no organization shall be eligible to apply for a Category 4 license from the local Licensing Authority without a binding vote in the host community where the organization is located by a majority of members of the town council or board of selectmen, or in a city having a Plan D or Plan E charter, the city manager and the city council and in any other city the mayor and city council.”

AMENDMENT NO. 58 CONSOLIDATED “LICENSING”

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Chapter 23K, Section 17, line 1197 by inserting the phrase “except for category 4 licenses” after “application for gaming licenses.”

AMENDMENT NO. 59 CONSOLIDATED “LICENSING”

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Chapter 23K, Section 17, line 1298 by inserting the phrase “except for category 4 licenses” after “fee of \$250,000.”

AMENDMENT NO. 60 CONSOLIDATED “LICENSING”

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Chapter 23K, Section 22, after line 1676 by inserting the following section: “(e) applicants for a category 4 license shall pay an annual fee of \$300 per machine to the host community.”

AMENDMENT NO. 61 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Rice of Gardner moves to amend the bill SECTION 12, Section 29, Chapter 23K, after line 2116, by inserting the following section: “(b) However, no licensee shall permit on its premises any credit card machine which would permit a patron to obtain a cash advance on said patron’s credit card. Similarly, no service shall be permitted on a licensed premises which would permit a patron to receive funds via wire transfer.”

AMENDMENT NO. 62 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Rice of Gardner moves to amend the bill by striking out SECTION 12, Chapter 23K, Section 36, subsections (c), (t), and (v) of the bill.

AMENDMENT NO. 63 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Chapter 23K, Section 36, after line 2718, by inserting the following section: “(z) nothing in this act shall be construed to prohibit a local licensing authority from the licensing of games used for entertainment purposes only. All such games are to have Massachusetts approval numbers.”

AMENDMENT NO. 64 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Chapter 23K, Section 2, after line 338, by inserting the following section: “Local Licensing Authority”, the licensing authority in each city or town.”

AMENDMENT NO. 65 CONSOLIDATED “LICENSING”

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Chapter 23K, Section 40, after line 2825, by inserting the following section: “(f) a category 4 licensee shall pay a daily tax of 30 percent on gross gaming revenue to the host community, and this shall be the only tax due and payable for this category.”

AMENDMENT NO. 66 CONSOLIDATED “LICENSING”

Mr. Rice of Gardner moves to amend the bill by inserting after SECTION 76 the following section: “MGL Chapter 10, Section 38, Subsection (e), lines 63 and 64, is hereby stricken.”

AMENDMENT NO. 67 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Kocot of Northampton moves to amend the bill in Section 5, in line 57, after the words “...a copy of which shall be filed with the state ethics commission.”, by inserting the following:

“The code shall include provisions reasonably necessary to carry out the purposes of section 11M including, but not limited to, (i) prohibiting the receipt of gifts by a division employee from any gaming licensee, applicant, close associate, affiliate or other person or entity subject to the jurisdiction of the commission established by chapter 23K, and (ii) prohibiting the participation by a division employee in any particular matter as defined by section 1 of chapter 268A that affects the financial interest of any relative within the third degree of consanguinity or person with whom such employee has a significant

relationship as defined by such code.”;

and, moves to amend the bill in Section 12, line 590, after the words “A copy of such code shall be filed with the state ethics commission.” by inserting the following:

“The code shall include provisions reasonably necessary to carry out the purposes of this chapter and any other laws subject to the jurisdiction of the commission including, but not limited to, (i) prohibiting the receipt of gifts by a commissioner and employee from any gaming licensee, applicant, close associate, affiliate or other person or entity subject to the jurisdiction of the Commission, (ii) prohibiting the participation by a commissioner and employee in any particular matter as defined by section 1 of chapter 268A that affects the financial interest of any relative within the third degree of consanguinity or person with whom such commissioner or employee has a significant relationship as defined by such code, and (iii) for recusal of a commissioner in any licensing decision due to a potential conflict of interest.”

AMENDMENT NO. 68 ~~WITHDRAWN~~

Mr. Kocot of Northampton moves that the bill be amended by adding at the end thereof the following section:

“Section --: Chapter 55 of the General Laws is hereby amended by inserting the following new section.

“Section 6C. No candidate or his or her candidates committee may accept, nor shall any applicant for or holder of a casino license, nor any holding, intermediary or subsidiary company thereof, nor any officer, director, casino key employee or principal employee of an applicant for or holder of a casino license or of any holding, intermediary or subsidiary company thereof nor any person or agent on behalf of any such applicant, holder, company or person, directly or indirectly, pay or contribute any money or thing of value to any candidate for nomination or election to any public office in the Commonwealth, or to any committee of any political party, or to any group, committee or association organized in support of any such candidate or political party; except that the provisions of this section shall not be construed in a way that is contrary to law regarding expenditures or self-funding.

Violation of any provision of this section shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars.”

AMENDMENT NO. 69 ~~REJECTED~~

Representative Sannicandro of Ashland moves to amend the bill by inserting the following section.

SECTIONXX:

a) There shall be established and set up on the books of the commonwealth a separate fund to be known as the Jail Diversion Casino Communities Fund. This fund shall consist of monies transferred under section 52 and all other monies credited or transferred to the fund from any other fund or source pursuant to law; provided, however, that the balance of the fund shall not be less than \$900,000.

b) The Department of Mental Health shall administer the fund and, without further appropriation, shall expend monies in the fund to assist contiguous communities in administering pre-arrest jail diversion programs.

AMENDMENT NO. 70 ~~REJECTED~~

Mr. Sannicandro of Ashland moves to amend the bill in section 12, subsection 61, by striking out, in line 3138, the figure “12” and inserting in place thereof the following figure:- “14”.

And further, in line 3144, by striking out the figure “6” and inserting in place thereof the following figure:- “8”;

And further, in line 3149, by inserting after the words “gaming establishment” the following new text:- “, 2 of whom shall be representatives of the regional planning agency representing the host community in which each resort casino is located”;

And further, in section 12, by striking out, in line 3074, subsection 54(b), and inserting in place thereof the following subsection :-

“(b) The commission shall administer the fund and, without further appropriation, shall annually expend monies in the fund to assist host communities, contiguous communities and communities abutting

contiguous communities in offsetting costs related to the construction and ongoing operation and impacts of a gaming facility including, but not limited to, water and sewer districts in the vicinity of a gaming facility, transportation impacts, environmental impacts, municipal services and public safety, including the office of the county district attorney and local police, fire and medical emergency departments.”

And further, in section 12, by striking out, in line 3081, subsection 54(c), and inserting in place thereof the following subsection:-

“(c) Parties requesting appropriations from the community fund shall submit a written request for funding to the commission before February 1 of each year. The commission shall hold a public hearing in the region of a gaming facility by March 31 of each year to provide parties with the opportunity to provide further information about their request for funds and shall distribute funds to requesting parties based on demonstrated need. The commission shall consult with the regional planning agency representing the host community in which a resort casino is located in matters related to land use impacts on the communities surrounding a gaming facility. ”

AMENDMENT NO. 71 REJECTED

Representative Sannicandro of Ashland moves to amend the bill by inserting the following section.

SECTIONXX:

a)There shall be established and set up on the books of the commonwealth a separate fund to be known as the Sexual Assault Nurse Examiner Casino Communities Fund. This fund shall consist of monies transferred under section 52 and all other monies credited or transferred to the fund from any other fund or source pursuant to law; provided, however, that the balance of the fund shall not be less than \$2,100,000.

b) The Department of Public Health shall administer the fund and, without further appropriation, shall expend monies in the fund to assist contiguous communities in administering comprehensive services of the sexual assault nurse examiner programs including adult, adolescent, pediatric nurse examiner services, rape crisis center services, and children’s advocacy center services.

AMENDMENT NO. 72 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Wallace of Boston moves to amend the bill H. 4591 by striking out section 36, subsection V.

AMENDMENT NO. 73 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Wallace of Boston moves to amend the bill H. 4591 by adding the following section after Section 41, line 2829:

SECTION ____: Nothing in this bill shall be construed to prohibit, limit, criminalize, regulate, or require a license to operate, set up, promote, aid, play, or otherwise participate in games of skill played peer-to-peer, including but not limited to poker.

AMENDMENT NO. 74 ADOPTED

Ms. Poirier of North Attleboro moves that House bill 4591 be amended in proposed section 19, in line 1467, by striking the word “and”;

and, further, in line 1472, by striking the word “establishment.” and inserting in place thereof the word: “establishment; and”;

and, further, in proposed section 19, by adding the following new subsection:

“(iv) purchasing, whenever possible, domestically manufactured slot machines for installation in the gaming establishment.”.

AMENDMENT NO. 75 CONSOLIDATED “LICENSING”

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, Ms. Poirier of North Attleboro, and Mr. deMacedo of Plymouth move that House bill 4591 be amended by striking lines 1521 to 1528, inclusive, and inserting in place thereof the following:

“(f) A category 2 license and a category 3 license issued pursuant to this chapter shall not be transferrable

or assignable without the approval of the commission; provided that, for a period of 5 years after initial issuance of a category 2 license and a category 3 license, the commission may approve such a transfer if: (i) the licensee experiences a change in ownership; or (ii) the licensee fails to maintain suitability or other circumstances which the commission may consider, which, in the opinion of a majority of members of the commission, impact a licensee's ability to successfully operate a gaming establishment.”.

AMENDMENT NO. 76 CONSOLIDATED “REVENUE”

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, Ms. Poirier of North Attleboro, and Mr. deMacedo of Plymouth move to amend House Bill 4591 by striking paragraph (2) of section 52 of proposed chapter 23K, in lines 3001 through 3020, inclusive, and inserting in place thereof the following:

“(2) Upon the opening of a category 1 facility, all monies received into the fund shall be transferred as follows:-

(a) Not less than thirty per cent shall be transferred to the Gaming Local Aid Fund established by section 55; provided, however, that in any fiscal year in which the amount of Chapter 70 aid as paid from the General Fund in accordance with chapter 70 of the General Laws, or the amount of unrestricted general government aid, which includes lottery aid distribution to cities and towns as paid from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws and the amount of additional funds distributed to cities and towns as additional assistance paid from the General Fund, is less than that of the previous fiscal year, the amount to be transferred to the Gaming Local Aid Fund shall be thirty per cent plus an amount equal to the difference between the amount of said unrestricted general government aid or Chapter 70 aid for the current and previous fiscal years;

(b) One per cent shall be transferred to the Massachusetts tourism fund established pursuant to section 35J of chapter 10;

(c) Two per cent shall be transferred to the community mitigation fund established by section 54; provided, however, that said fund balance shall not exceed \$15,000,000. Funds in excess of \$15,000,000 shall be transferred to the local capital projects fund established by section 58;

(d) Seven per cent shall be transferred to the local capital projects fund established by section 58;

(e) Thirty per cent shall be transferred to the Gaming Local Aid Fund established by section 55;

(f) Thirty per cent shall be transferred to the Commonwealth Stabilization Fund established by section 2H of chapter 29; and

(g) Thirty per cent shall be transferred to the Education Fund established by section 59.

(h) If the amount remaining after making the transfer required in clause (a) exceeds thirty per cent of the monies received into the fund, the amounts to be transferred in clauses (b) through (g), inclusive, shall be proportionally reduced.”.

AMENDMENT NO. 77 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, Ms. Poirier of North Attleboro, and Mr. deMacedo of Plymouth move that House bill 4591 be amended in section 12, line 1337, by striking the number “12” and inserting in place thereof the following number: “13”;

and further, by striking, in lines 3137 through 3138, inclusive, the following:

“1 of whom shall be the state treasurer, or his designee;”;

and further, in line 3143, by inserting after the word “representatives;” the following:

“1 of whom shall be appointed by the minority leader of the senate; 1 of whom shall be appointed by the minority leader of the house of representatives;”.

AMENDMENT NO. 78 CONSOLIDATED “LICENSING”

Mr. Kocot of Northampton moves that the bill be amended in Section 51, in line 2970, after the word “...license” by inserting the following:

“...and each license holder shall assess a twenty dollar per ticket or admission cultural tourism and hospitality industry impact surcharge for all events held in any theatre, convention, assembly or entertainment venue within their licensed location, other than the primary gaming area, holding over three hundred attendees at one time, provided, that all proceeds from said surcharge shall be segregated and distributed as a separate cultural tourism and hospitality local aid line item on the annual “Cherry Sheet” municipal receipt distribution, on a per capita basis, to those communities within sixty miles of said license holder’s venue that have adopted the local option meals tax increase as of January 1, 2011.”

AMENDMENT NO. 79 CONSOLIDATED “LICENSING”

Mr. Smola of Palmer moves to amend H.4591 in paragraph (b) of subsection 54 of the proposed SECTION 12 in line 3079 by adding the following:

“and local and regional education, infrastructure, housing and environmental issues.”

AMENDMENT NO. 80 CONSOLIDATED “REVENUE”

Mr. Smola of Palmer moves to amend H.4591 in paragraph (1) of subsection 51 of the proposed SECTION 12 in line 2974, paragraph (b) of subsection 52 of the Proposed SECTION 12 in line 3009 and paragraph (a) of subsection 54 of the proposed SECTION 12 in line 3072 by striking the figure “\$15,000,000” and inserting in its place the figure “\$30,000,000”

AMENDMENT NO. 81 CONSOLIDATED “REVENUE”

Mr. Smola of Palmer moves to amend H.4591 by adding the following section:-

Section XX. There is hereby established and set up on the books of the commonwealth a fund to be known as the Host Community Agreement Fund. The fund will pay all costs associated with host community negotiations. The funds would be paid directly by the commonwealth to the host community.

AMENDMENT NO. 82 CONSOLIDATED “LICENSING”

Mr. Smola of Palmer moves to amend H.4591 in paragraph (3) of subsection 14 of the proposed SECTION 12 in lines 1092 through 1094 by striking out the sentences in those lines and inserting the following:

“(3) has the exclusive right and obligation to control and operate the gaming premises of the facility for the duration of the license to be awarded.”

AMENDMENT NO. 83 CONSOLIDATED “LICENSING”

Mr. Smola of Palmer moves to amend H.4591 by adding the following section:-

Section XX. The host community of any category 1 gaming license holder shall be held harmless for all local aid resources.

AMENDMENT NO. 84 CONSOLIDATED “REVENUE”

Mr. Smola of Palmer moves to amend H.4591 in paragraph (3) of subsection 51 of the proposed SECTION 12 in line 2979 by striking the figure “\$40,000,000” and inserting in its place the figure “\$80,000,000”

AMENDMENT NO. 85 CONSOLIDATED “LICENSING”

Mr. Smola of Palmer moves to amend H.4591 in paragraph (b) of subsection 16 of the proposed SECTION 12 in lines 1173 after the words “will be located by a” through 1182 by striking out the sentences in those lines and inserting in their place the following ;

“certified and binding vote in favor of such license on a ballot question at an election in the host community where the category 2 or category 3 facility will be located; provided further that the host community shall be reimbursed for its expenses related to the election by the applicant for a category 2 or category 3 license. An applicant for a category 2 or category 3 license shall have certification of ballot approval by the host community within 3 months of submitting an application for a category 2 or category

3 license to the commission; provided, however, that the applicant shall include with the application a certified letter from the clerk of the host community of a date certain for the election within the 3 month period.”

AMENDMENT NO. 86 CONSOLIDATED “GENREAL GAMING, REGULATION”

Mr. Smola of Palmer moves to amend H.4591 in paragraph (a) of subsection 3 of the proposed SECTION 12 in line 415 by striking the number “5” and inserting in its place the number “9” and in line 424 after the words “business administration” by adding the following:

“Four ex officio, non paid, non voting members, one from each of the two category 1 license host communities and one selected from within a 10 mile radius of each category 1 facility, will be appointed as above.”

AMENDMENT NO. 87 CONSOLIDATED “LICENSING”

Mr. Smola of Palmer moves to amend H.4591 in paragraph (b) of subsection 21 of the proposed SECTION 12 in lines 1623 through 1631 by striking out the sentences in those lines and inserting the following:

“business.”

AMENDMENT NO. 88 WITHDRAWN

Representatives Smola of Palmer, Pignatelli of Lenox, Binienda of Worcester, Humason of Westfield, Barrows of Mansfield, Wallace of Boston, Webster of Hanson, Grant of Beverly, Alicea of Charlton, Clark of Melrose, Benson of Lunenburg, Callahan of Sutton, Hecht of Watertown, DiNatalie of Fitchburg, Ashe of Longmeadow, Dykema of Holliston, Gregoire of Marlborough, Arciero of Westford, Lewis of Winchester, Dwyer of Woburn, Kocot of Northampton and Hogan of Maynard move to amend H.4591 in paragraph (f) of subsection 33 of the proposed SECTION 12 in line 2311 by inserting after the words “department of state police” the following words;

“and the local police department from the host community”

AMENDMENT NO. 89 CONSOLIDATED “LICENSING”

Representatives Smola of Palmer, Jones of North Reading, Humason of Westfield, Falzone of Saugus, Gregoire of Marlborough, Sullivan of Fall River, Benson of Lunenburg, Fernandes of Milford and Kocot of Northampton move to amend H.4591 in paragraph (c) of subsection 18 of the proposed SECTION 12 in line 1376 by inserting after the words “public hearing” the following words;

“which must be held within the host community”

AMENDMENT NO. 90 CONSOLIDATED “REVENUE”

Mr. Smola of Palmer and Mr. Ashe of Longmeadow move to amend H.4591 in paragraph (b) of subsection 54 of the proposed SECTION 12 in line 3075 by inserting after the words “contiguous communities” the following words;

“and any community within the commonwealth whose boundary lies within a 10 mile radius of the resort casino site”

AMENDMENT NO. 91 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Smola of Palmer moves to amend H.4591 at the end of subsection 6 in the proposed SECTION 12 by adding the following:

“The commission shall authorize and regulate simulcasting and off-track betting at category 1 facilities, including broadcasting of races and events in non-gaming areas of the resort provided that all wagering is conducted in approved gaming areas.”

AMENDMENT NO. 92 CONSOLIDATED “REVENUE”

Mr. Smola of Palmer moves to amend H.4591 at the end of subsection 47 of the proposed SECTION 12

by adding the following:

“Notwithstanding any provision of this section to the contrary, any licensee or owner of any non-gaming amenity at or associated with a gaming facility shall not be prohibited from receiving any available tax increment financing, designation, tax credit or other benefit in connection with any non-gaming amenity or portion of a facility.”

AMENDMENT NO. 93 CONSOLIDATED “REVENUE”

Mr. Smola of Palmer moves to amend H.4591 in paragraph (6) of subsection 51 of the proposed SECTION 12 in line 2985 by striking the figure “\$3,000,000” and inserting in its place the figure “\$10,000,000”

AMENDMENT NO. 94 REJECTED – ROLL CALL # 322

Mr. Smola of Palmer moves to amend H.4591 by adding the following section:-

Section XX. A minimum of one category 1 license shall be located in one of the following counties; Berkshire, Franklin, Hampden, Hampshire or Worcester.

AMENDMENT NO. 95 CONSOLIDATED “SITING”

Mr. Curran of Springfield, Mr. Puppolo of Wilbraham and Mrs. Sandlin of Agawam, moves to amend House Bill 4591 in Section 20. (a), in line 1480, by adding at the end “At least one of the two, category 1 gaming establishments, shall be located in Berkshire, Franklin, Hampden or Hampshire County.”

AMENDMENT NO. 96 WITHDRAWN

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Chapter 23K, Section 25, Subsection (c) by inserting in line 1839 after “commission” the words “unless that machine is used for entertainment purposes only.”

AMENDMENT NO. 97 CONSOLIDATED “REVENUE”

Ms. Grant of Beverly moves to amend the bill in section 9, in line 936, by inserting after the words “compulsive gambling” the words “and other addictions”.

AMENDMENT NO. 98 CONSOLIDATED “REVENUE”

Ms. Grant of Beverly moves to amend the bill in section 9, in line 938, by removing the “,” after the word “services” and inserting the word “and”;
and in line 939, by placing a “.” after the word “gambling” and then striking the remainder of the sentence.

AMENDMENT NO. 99 REJECTED – ROLL CALL # 332

Ms. Balser of Newton moves to amend H4591 in Chapter 23K, The Massachusetts Gaming commission, Section 1, after line 107, insert:

(1a) in order to ensure public confidence and strict oversight of all gaming establishments, the Massachusetts Gaming Commission shall develop a patron's bill of rights that will be posted visibly in each gaming establishment that will include but not be limited to the following best practices for the industry to promote entertainment and discourage predatory practices:

- A 1 ft x 1 ft sign will be posted on every gambling machine explaining the odds and algorithms of the machine.
- Any patron gambling for more than twelve consecutive hours must be identified and receive an intervention by a state public health official.
- Prohibit the practice of using "Luck Ambassadors", staff who provide free play and other incentives in real time to players losing money to ensure that they continue to gamble.
- Prohibit the practice of using "Hosts," staff who are assigned to identify gamblers who are

leaving with the purpose of encouraging them to return to the gambling establishment.

- Prohibit the selling or sharing of information by an ATM vendor with the gambling establishment for the purpose of marketing.
- Limit to \$500 a day gambling losses per patron.
- Protect the patron's right to view their files kept by the gambling establishment regarding any individual data including, but not limited to, "predicted lifetime value."

AMENDMENT NO. 100 REJECTED – ROLL CALL # 335

Ms. Balser of Newton moves to amend H4591, Chapter 23 K, Section 2, line 384, defining "slot machine" insert the following:

Only mechanical machines will be lawful; Electronic machines are prohibited.

AMENDMENT NO. 101 CONSOLIDATED "LICENSING"

Mr. Naughton of Clinton moves to amend House No. 4591 in Section 2 of Chapter 23K, by inserting at the end of line 177 the following:

"Category 4 license, a license issued by the commission with the approval of the governing body for the host community to a duly chartered non-profit veterans organization as defined and organized pursuant to the Laws of the Commonwealth of Massachusetts."

AMENDMENT NO. 102 CONSOLIDATED "LICENSING"

Mr. Naughton of Clinton moves to amend House No. 4591 in Section 27 of Chapter 23K by inserting at the end of line 2034 the following subsection:

"(k) A category 4 license may operate a gaming establishment as regulated and directed from time to time by the host community."

AMENDMENT NO. 103 CONSOLIDATED "LICENSING"

Mr. Naughton of Clinton moves to amend House No. 4591 in Section 40 of Chapter 23K, by inserting at the end of subsection (e) at line 2826, the following subsection:

"(f) Notwithstanding any language hereinabove to the contrary, category 4 licensees shall pay a daily tax of five percent (5%) of their gross gaming revenue to the Commission and a daily tax of five percent (5%) of their gross gaming revenue to the host community."

AMENDMENT NO. 104 CONSOLIDATED "LICENSING"

Mr. Naughton of Clinton moves to amend House No. 4591 at the end of Section 2 the following:
Section ____

Chapter 22 of the General Laws is hereby amended by adding the following section: —

Section 21. A veterans' organization incorporated or chartered by the Congress of the United States, which is a fraternal benefit society, as defined in section 1 of chapter 176, and desiring to conduct video poker games with which prizes are offered, upon application to the state gaming commission may be granted a license to conduct the games.

The fee for the license shall be determined annually by the state gaming commission, and the proceeds of the fees shall be paid to the state gaming commission and shall be used by the state gaming commission to defray the cost of administering this section.

An organization licensed under this section to conduct the games shall operate, manage and control the games in compliance with regulations as established by the state's gaming commission. Only licensed gaming operators or licensed coin operated machine vendors that have been domiciled in the commonwealth for a period of 5 years may apply for selling, distributing and maintaining approved video poker machines.

The profits of a game licensed to be conducted under this section shall be the property of the organization conducting the game in order to fulfill their mission statement; provided, however, that 5 per cent of the profits shall be paid over to the commonwealth on a monthly basis and deposited into the State's General

Fund to be dispensed to the Department of Veterans Services.

AMENDMENT NO. 105 CONSOLIDATED “REVENUE”

Mr. Ashe of Longmeadow moves to amend H.4591 in section 51, paragraph 1, line 2975, by striking out the following: “15,000,000” and inserting in place thereof the following: “30,000,000”.

AMENDMENT NO. 106 CONSOLIDATED “REVENUE”

Mr. Ashe of Longmeadow moves to amend H.4591 in section 52, paragraph 2(b), by striking out the following lines 3007-3012, and inserting in place thereof the following words: “Ten percent (10%) shall be transferred to the Community Mitigation Fund established by section 54. Unallocated or unused funds shall be transferred to the local capital projects fund.”

AMENDMENT NO. 107 CONSOLIDATED “LICENSING”

Representative Provost of Somerville moves to amend the bill, H.4591, in lines 1115 and 1116, by striking the words “although such business organization may be a wholly or partially owned subsidiary of a foreign business;”

AMENDMENT NO. 108 REJECTED – ROLL CALL # 336

Representative Provost of Somerville moves to amend the bill, H. 4591, in line 560, by striking the word “may,” and inserting in its place the word “shall.” and in line 565, striking the word “or” and inserting in its place the word “and.”

AMENDMENT NO. 109 REJECTED – ROLL CALL # 337

Representative Provost of Somerville moves to amend the bill, H. 4591, in line 575, by striking all language after the word “misdemeanor:” striking line 576 in its entirety; and striking the language of line 577 that precedes the parenthetical number “(ii);”

AMENDMENT NO. 110 REJECTED – ROLL CALL # 338

Representative Provost of Somerville moves to amend the bill, H. 4591, in line 598, by striking all language up to the word, “that,” in line 608, striking the phrase, “for a period of 3 years;” in line 612-613, striking the phrase “for the period of 2 years,” and in lines 616-617, striking the phrase, “for a period of 1 year.”

AMENDMENT NO. 111 CONSOLIDATED “LICENSING”

Representative Provost moves to amend the bill. H.4591, in line 989, by striking the word “conditioned.”

AMENDMENT NO. 112 CONSOLIDATED “LICENSING”

Representative Provost of Somerville moves to amend the bill, H. 4591, in line 1053, by striking the phrase “have the authority to”

AMENDMENT NO. 113 CONSOLIDATED “LICENSING”

Representative Provost of Somerville moves to amend the bill, H. 4591, in line 1094, after the word “awarded,” by adding the phrase “and that the land is zoned by the relevant local government(s) to allow for the use or uses which are proposed in the application.”

AMENDMENT NO. 114 WITHDRAWN

Mr. Guyer of Dalton moves to amend the bill in Section 12, in line 1481, by inserting after the words “section 1”, the following:-
“; provided, however, that one facility be located in the town of Southwick”

AMENDMENT NO. 115 CONSOLIDATED “SITING”

Mr. Guyer of Dalton moves to amend the bill in Section 12, in line 1481, by inserting after the words “section 1”, the following:-
“; provided, however, that one facility be located in the city of Agawam”

AMENDMENT NO. 116 WITHDRAWN

Mr. Guyer of Dalton moves to amend the bill in Section 12, in line 1481, by inserting after the words “section 1”, the following:-
“; provided, however, that one facility be located in the town of Granville”

AMENDMENT NO. 117 WITHDRAWN

Mr. Guyer of Dalton moves to amend the bill in Section 12, in line 1481, by inserting after the words “section 1”, the following:-
“; provided, however, that one facility be located in the town of Russell”

AMENDMENT NO. 118 REJECTED – ROLL CALL # 323

Mr. Guyer of Dalton moves to amend the bill in Section 12, in line 1481, by inserting after the words “section 1”, the following:-
“; provided however, that no category 1 gaming facility may be located in any municipality which does not maintain a full-time municipal police force staffed at a level greater than 3 full-time officers per 1,000 residents. For towns with less than 1,000 residents, there shall be no less than four full-time officers per municipal police force”

AMENDMENT NO. 119 REJECTED – ROLL CALL # 324

Mr. Guyer of Dalton moves to amend the bill in Section 12, in line 1481, by inserting after the words “section 1”, the following:-
“; provided, however, that no category 1 gaming facility may be located in any municipality which does not maintain a full-time, non-volunteer fire department”

AMENDMENT NO. 120 REJECTED – ROLL CALL # 325

Mr. Guyer of Dalton moves to amend the bill in Section 12, in line 1481, by inserting after the words “section 1”, the following:-
“; provided, however, that no category 1 gaming facility shall be located in any municipality which is not served by passenger rail service”

AMENDMENT NO. 121 CONSOLIDATED “LICENSING”

Representative Walz of Boston moves to amend the bill in section 12, in line 230 by inserting after the word “amenities” the following: “; provided, however, that the premise shall not include more than (a) 25,000 square feet of exhibition space and (b) 25,000 square feet of meeting space or rooms. “
And further in said section 12, in line 370 by inserting after the word “restaurants” the following: “; provided, however, that the premise shall not include more than (a) 25,000 square feet of exhibition space and (b) 25,000 square feet of meeting space or rooms. “

AMENDMENT NO. 122 CONSOLIDATED “LICENSING”

Representative Walz of Boston moves to amend the bill in section 12 by adding at the end the following: Section XXX. A person holding a category one, two or three license may provide or allow to be provided by a third party live entertainment in an entertainment venue on or in close proximity to the gaming establishment or resort casino, subject to the following restrictions:

1. Any contract executed between a licensee and an entertainer, theatrical or comedy performance organization, or musical performer or group shall not include any restrictions on future engagements (a) based on geographical proximity to the site of the gaming establishment or resort casino or (b) for a

specified time period in relation to the date of the engagement or engagements at the gaming establishment or resort casino.

2. Once a licensee has held or allowed to be held by a third party a performance by a specific entertainer, organization, performer, or group, the licensee may not hold or allow to be held by a third party a return engagement by the same entertainer, organization, performer, or group, or substantially the same entertainer, organization, performer, or group, until that entertainer, organization, performer, or group has been presented in public, ticketed performances at two or more performance venues in Massachusetts that are not part of a gaming establishment or resort casino.

3. A licensee shall not hold or allow to be held by a third party more than two consecutive performances of a Broadway-type play or theatrical performance of a musical or non-musical variety in a single engagement or in a time span of 30 days or less.

AMENDMENT NO. 123 CONSOLIDATED “LICENSING”

Ms. Polito of Shrewsbury moves that House Bill 4591 be amended as follows:--

In line 106 by adding after the word “through” the words:- “a competitive bidding process for gaming licenses and”;

In lines 172 and 173 by striking out the words “thoroughbred horse racing facility or to a harness racing facility to operate up to 750” and inserting in place thereof the following words:- qualified bidder to operate;

By striking out the definition of a “Category 3 license” set forth in lines 175 to 177, inclusive;

In line 241, by striking out the words “category 2 or category 3 license” and inserting in place thereof the words:- “or category 2 license.”;

In lines 243 to 244, by “category 2 or category 3 license” and inserting in place thereof the words:- “or category 2 gaming license.”;

By inserting after the definition of “Qualification” in line 358 the following new definition:-

“Qualified bidder,” an applicant for a category 1 or category 2 gaming license that satisfies the minimum criteria for application for a gaming license set forth in this chapter and as set forth by the commission”;

In proposed section 20 of chapter 23K, in line 1474, by striking out the words “2 category 1 licenses” and inserting in place thereof the following:-- up to 2 category 1 licenses and/or up to 4 category 2 licenses;

In line 1475, by striking out the words “category 1” and inserting in place thereof the following word:- gaming;

In line 1478, by striking out the words “category 1” and inserting in place thereof the following word:- gaming;

In line 1483, by striking out the words “or category 3”;

In line 1488, by striking out the words “category 1” and inserting in place thereof the word:- gaming.

By striking out lines 1498 to 1541, inclusive;

In line 1552, by striking out the words “and category 3”;

In line 1651, by striking out the words “or category 3”;

In line 1661, by striking out the words “or category 3”;

In lines 1663-1664, by striking out the words “or category 3”;

By striking out lines 1667-1670 in their entirety;

In line 1679, by striking out the words “on the premises” and inserting in place thereof the following words:- which existed on the premises in calendar year 2009 and which was licensed under chapter 128A to conduct live racing in calendar year 2009;

In line 1680, by inserting after the word “that” the following words:- in the case of a thoroughbred horse racing facility or a harness horse racing facility;

By inserting after line 1703 the following new subsection:-

(e) This section shall not apply to any category 2 licensee where a greyhound racing facility, a thoroughbred horse racing facility or a harness horse racing facility did not exist on the premises in calendar year 2009 and was not licensed under chapter 128A to conduct live racing in calendar year 2009;

In line 1928, by striking out the words “category 2 or category 3” and inserting in place thereof the

words:- or category 2;

In line 1944, by striking out the words “category 2 or category 3” and inserting in place thereof the words:- or category 2;

In line 2011, by striking out the words “category 2 or category 3” and inserting in place thereof the words:- or category 2;

In line 2812, by striking out the words “or category 3”;

In line 2816, by striking out the words “and category 3 licensees shall pay a daily assessment of 10 per cent”;

In line 2818, by adding at the end thereof the following words:- ; provided, that this paragraph shall not apply to any category 2 licensee where a greyhound racing facility, a thoroughbred horse racing facility or a harness horse racing facility did not exist on the premises in calendar year 2009 and was not licensed under chapter 128A to conduct live racing in calendar year 2009;

By striking out lines 2819 to 2823 in their entirety;

In lines 2827 and 2828, by striking out the words “A category 1 licensee, a category 2 licensee and a category 3 licensee” and inserting in place thereof the following words:- Gaming licensees;

In line 2971, by striking out the words “category 1, 2 or 3”;

By striking out lines 3103 to 3125 in their entirety.

AMENDMENT NO. 124

REJECTED – ROLL CALL # 333

Ms. Polito of Shrewsbury moves that House Bill 4591 be amended as follows:--

By striking out Sections 2 and 3 in their entirety.

In Section 12, in line 102, by striking out the words “THE MASSACHUSETTS GAMING COMMISSION” and inserting in place thereof the following words:- THE MASSACHUSETTS GAMING LAW;

In line 106 by adding after the word “through” the words:- “a competitive bidding process for gaming licenses and”;

In lines 172 and 173 by striking out the words “thoroughbred horse racing facility or to a harness racing facility to operate up to 750” and inserting in place thereof the following words:- qualified bidder to operate;

By striking out the definition of a “Category 3 license” set forth in lines 175 to 177, inclusive;

In line 203, by adding at the end thereof the following words:- “or the Lottery Commission as its successor in interest upon dissolution of the commission as provided in section 6 of this chapter.”;

In line 241, by striking out the words “category 2 or category 3 license” and inserting in place thereof the words:- “or category 2 license.”;

In lines 243 to 244, by “category 2 or category 3 license” and inserting in place thereof the words:- “or category 2 gaming license.”;

By inserting after the definition of “Lottery” in line 341 the following new definition:-

“Lottery commission”, the Massachusetts state lottery commission established pursuant to section 23 of chapter 10;

By inserting after the definition of “Qualification” in line 358 the following new definition:-

“Qualified bidder,” an applicant for a category 1 or category 2 gaming license that satisfies the minimum criteria for application for a gaming license set forth in this chapter and as set forth by the commission”;

In line 445, by inserting after the word “years” the following words:- or until such time as the commission is dissolved and its responsibilities are transferred to the Lottery commission, whichever is sooner;

By striking out proposed Section 6 of chapter 23A, as set forth in lines 831 to 835, inclusive, in its entirety and inserting in place thereof the following new section:-

Section 6. One hundred and eighty days after the commission awards the first gaming license issued under this chapter, the commission shall be dissolved and cease to exist, and all of its powers and responsibilities shall be transferred over to the Lottery commission, which thereafter shall have and exercise all lawful authority which is otherwise invested in the commission by way of this chapter and which is not inconsistent with chapter 10.

In proposed section 8 of chapter 23K, in line 927, by adding the following new paragraph:-

This section shall not apply to the operations of the Lottery commission on and after the time the Lottery commission assumes the power and responsibilities of the commission under section 6 of this chapter.

And further in line 1474 by striking out the words “2 category 1 licenses” and inserting in place thereof the following:- up to 2 category 1 licenses and/or up to 4 category 2 licenses;

In line 1475, by striking out the words “category 1” and inserting in place thereof the following word:- gaming;

In line 1478, by striking out the words “category 1” and inserting in place thereof the following word:- gaming;

In line 1483, by striking out the words “or category 3”;

In line 1488, by striking out the words “category 1” and inserting in place thereof the word:- gaming.

By striking out lines 1498 to 1541, inclusive;

In line 1552, by striking out the words “and category 3”;

In line 1651, by striking out the words “or category 3”;

In line 1661, by striking out the words “or category 3”;

In lines 1663-1664, by striking out the words “or category 3”;

By striking out lines 1667-1670 in their entirety;

In line 1679, by striking out the words “on the premises” and inserting in place thereof the following words:- which existed on the premises in calendar year 2009 and which was licensed under chapter 128A to conduct live racing in calendar year 2009;

In line 1680, by inserting after the word “that” the following words:- in the case of a thoroughbred horse racing facility or a harness horse racing facility;

By inserting after line 1703 the following new subsection:-

(e) This section shall not apply to any category 2 licensee where a greyhound racing facility, a thoroughbred horse racing facility or a harness horse racing facility did not exist on the premises in calendar year 2009 and was not licensed under chapter 128A to conduct live racing in calendar year 2009;

In line 1928, by striking out the words “category 2 or category 3” and inserting in place thereof the words:- or category 2;

In line 1944, by striking out the words “category 2 or category 3” and inserting in place thereof the words:- or category 2;

In line 2011, by striking out the words “category 2 or category 3” and inserting in place thereof the words:- or category 2;

In line 2812, by striking out the words “or category 3”;

In line 2816, by striking out the words “and category 3 licensees shall pay a daily assessment of 10 per cent”;

In line 2818, by adding at the end thereof the following words:- ; provided, that this paragraph shall not apply to any category 2 licensee where a greyhound racing facility, a thoroughbred horse racing facility or a harness horse racing facility did not exist on the premises in calendar year 2009 and was not licensed under chapter 128A to conduct live racing in calendar year 2009;

By striking out lines 2819 to 2823 in their entirety;

In lines 2827 and 2828, by striking out the words “A category 1 licensee, a category 2 licensee and a category 3 licensee” and inserting in place thereof the following words:- Gaming licensees;

In line 2971, by striking out the words “category 1, 2 or 3”;

By striking out lines 2980 to 2987 in their entirety;

In lines 2988 to 2991 inclusive, by striking out clause (7) in its entirety and by inserting in place thereof the following clause:- (3) Fifty percent of any remaining monies in the fund after disbursement to sections 1 through 6 shall be transferred to the commonwealth stabilization fund established by section 2H of chapter 29, and fifty percent of such remaining monies shall be used to pay down then existing general obligation debt of the commonwealth in a manner which, in the discretion of the treasurer, would maximize savings for the commonwealth;

By striking out proposed section 52 of chapter 23K and inserting in place thereof the following new

section:-

Section 52. There is hereby established and placed upon the books of the commonwealth a Gaming Revenue Fund which shall receive revenues collected from the tax on gross gaming revenue received from gaming licensees. The commission shall be the trustee of the fund and shall transfer monies in the fund in accordance with the following provisions:-

(1) Until a category 1 facility is operational, one hundred per cent of the revenue received from category 2 licensees shall be transferred to the gaming local aid fund established by section 55.

(2) Upon the opening of a category 1 facility, all monies received into the fund shall be transferred as follows:-

(a) Two per cent shall be transferred to the community mitigation fund established by section 54; provided, however, that said fund balance shall not exceed \$15,000,000. Funds in excess of \$15,000,000 shall be transferred to the Gaming Local Aid Fund established by section 55.

(b) All remaining funds shall be transferred to the Gaming Local Aid Fund established by section 55.

By striking out lines 3103 to 3125 in their entirety;

By striking out Sections 26 and 27 in their entirety;

AMENDMENT NO. 125 REJECTED – ROLL CALL # 339

Ms. Polito of Shrewsbury moves that House Bill 4591 be amended as follows:--

In Section 12, in line 102, by striking out the words “THE MASSACHUSETTS GAMING COMMISSION” and inserting in place thereof the following words:- THE MASSACHUSETTS GAMING LAW;

In line 203, by adding at the end thereof the following words:- “or the Lottery Commission as its successor in interest upon dissolution of the commission as provided in section 6 of this chapter.”;

By inserting after the definition of “Lottery” in line 341 the following new definition:-

“Lottery commission”, the Massachusetts state lottery commission established pursuant to section 23 of chapter 10;

In line 445, by inserting after the word “years” the following words:- or until such time as the commission is dissolved and its responsibilities are transferred to the Lottery commission, whichever is sooner;

By striking out proposed Section 6 of chapter 23A, as set forth in lines 831 to 835, inclusive, in its entirety and inserting in place thereof the following new section:-

Section 6. One hundred and eighty days after the commission awards the first gaming license issued under this chapter, the commission shall be dissolved and cease to exist, and all of its powers and responsibilities shall be transferred over to the Lottery commission, which thereafter shall have and exercise all lawful authority which is otherwise invested in the commission by way of this chapter and which is not inconsistent with chapter 10.

In proposed section 8 of chapter 23K, in line 927, by adding the following new paragraph:-

This section shall not apply to the operations of the Lottery commission on and after the time the Lottery commission assumes the power and responsibilities of the commission under section 6 of this chapter.

AMENDMENT NO. 126 CONSOLIDATED “REVENUE”

Ms. Polito of Shrewsbury moves that House Bill 4591 be amended as follows:--

In Section 12, by striking out lines 2980 to 2987 in their entirety;

In lines 2988 to 2991 inclusive, by striking out clause (7) in its entirety and by inserting in place thereof the following clause:- (3) Fifty percent of any remaining monies in the fund after disbursement to sections 1 through 6 shall be transferred to the commonwealth stabilization fund established by section 2H of chapter 29, and fifty percent of such remaining monies shall be used to pay down then existing general obligation debt of the commonwealth in a manner which, in the discretion of the treasurer, would maximize savings for the commonwealth;

By striking out proposed section 52 of chapter 23K and inserting in place thereof the following new section:-

Section 52. There is hereby established and placed upon the books of the commonwealth a Gaming

Revenue Fund which shall receive revenues collected from the tax on gross gaming revenue received from gaming licensees. The commission shall be the trustee of the fund and shall transfer monies in the fund in accordance with the following provisions:-

(1) Until a category 1 facility is operational, one hundred per cent of the revenue received from category 2 licensees shall be transferred to the gaming local aid fund established by section 55.

(2) Upon the opening of a category 1 facility, all monies received into the fund shall be transferred as follows:-

(a) Two per cent shall be transferred to the community mitigation fund established by section 54; provided, however, that said fund balance shall not exceed \$15,000,000. Funds in excess of \$15,000,000 shall be transferred to the Gaming Local Aid Fund established by section 55.

(b) All remaining funds shall be transferred to the Gaming Local Aid Fund established by section 55. By striking out lines 3103 to 3125 in their entirety.

AMENDMENT NO. 127 CONSOLIDATED “LICENSING”

Mr. Hecht of Watertown moves to amend the bill in section 12 by inserting after line 799 the following “(6 ½) require gaming licensees to submit annual reports on the extent to which they are meeting the objectives set forth in section 19” and renumbering the subsequent sub-paragraphs;

In line 1264 by striking the words “as required by” and inserting in place thereof the following new language “by independent experts designated by”;

By inserting after line 1401 the following paragraph: “(f ½) Upon granting an application for a gaming license, the commission shall prepare and file specific findings of fact relative to its determination that the applicant meets the criteria and objectives set forth in sections 14 through 19”;

In line 1562 by inserting after the word “establishment” the following, “and the extent to which the licensee is meeting the objectives set forth in section 19”; and

In line 1574 by inserting after the words “injurious to” the following words “or fails to promote.”

AMENDMENT NO. 128 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Hecht of Watertown moves to amend the bill in section 12, in line 440 by striking the word “3” and inserting the word “2”.

AMENDMENT NO. 129 CONSOLIDATED “REVENUE”

Mr. Donelan of Orange moves to amend House No. 4591 in section 59, in line 3124, by adding the following sentence:-

“The fund shall provide reimbursement to regional school districts for the cost of regional school transportation in an amount no less than the difference of funds provided pursuant to the general appropriations act, to such regional school districts, and the cost of such transportation.”

AMENDMENT NO. 130 CONSOLIDATED “LICENSING”

Representatives Binienda of Worcester, Atkins of Concord, Brownsberger of Belmont, Falzone of Saugus, Fernandes of Milford, Fresolo of Worcester, Hecht of Watertown, Kocot of Northampton, Provost of Somerville, Toomey of Cambridge, and Wolf of Cambridge move to amend H. 4591 by inserting after line 1472 in subsection 19 of Section 12 the following language:

Any category one, two or three casino or any other casino licensed under this act may provide, or allow to be provided by a third party, live entertainment in an entertainment venue on or in close proximity to the premises, with the following restrictions:

1. Any contract executed between a casino operator and an entertainer or theatrical show, comedy show or musical concert may not include any restrictions on future engagements of said entertainer based on geographical proximity to the site of the gaming venue or a specified time span in relation to the date of the engagement or engagements.

2. Once a casino operator has held, or allowed to be held by a third party, a performance by a specific entertainer or show, the casino operator may not hold, or allow to be held by a third party, a

return engagement by the same entertainer or show, or substantially the same entertainer or show, until that entertainer or show has been presented in public, ticketed performances at two or more non-casino performance venues in the state.

3. A casino operator shall not hold, or allow to be held by a third party, more than two consecutive performances of a Broadway-type play or theatrical performance of a musical or non-musical variety in a single engagement, or in a time span of 30 days or less.

AMENDMENT NO. 131 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Dempsey of Haverhill moves to amend the bill in section 12, in line 2313, by striking out the word “establishment” and inserting in place thereof the word “facility”; and in said line by inserting after the word “chapter” the following words:- ; provided, however, that the state police shall execute a memorandum of understanding with the law enforcement agency of the host community that shall include, but not be limited to, procedures involving: (i) first responder calls from the gaming establishment; (ii) emergencies occurring within the gaming establishment, including the gaming facility; and (iii) criminal investigations involving employees or patrons of the gaming establishment; provided further that the bureau of investigations and enforcement shall have the authority to restrict areas in the gaming establishment with direct access to the gaming facility.

AMENDMENT NO. 132 REJECTED

Ms. Ferrante of Gloucester moves to amend the bill by inserting after Section 76 the following section:

“SECTION 77. Chapter 271 of the General Laws is hereby amended by inserting, after Section 5A, the following new section:

Section 5B: Bona fide coin-operated amusement machines

(a) For the purposes of this chapter, the following definitions shall apply:

“Some skill” means any presence of the following factors, alone or in combination with one another:

- (1) A learned power of doing a thing competently;
- (2) A particular craft, art, ability, strategy, or tactic;
- (3) A developed or acquired aptitude or ability;
- (4) A coordinated set of actions, including, but not limited to, eye-hand coordination;
- (5) Dexterity, fluency, or coordination in the execution of learned physical or mental tasks or both;
- (6) Technical proficiency or expertise;
- (7) Development or implementation of strategy or tactics in order to achieve a goal; or
- (8) Knowledge of the means or methods of accomplishing a task.

The term “some skill” refers to a particular craft, coordinated effort, art, ability, strategy, or tactic employed by the player to affect in some way the outcome of the game played on a bona fide coin operated amusement machines. If a player can take no action to affect the outcome of the game, the bona fide coin operated amusement machine does not meet the "some skill" requirement of this section.

“Bona fide coin-operated amusement machine” means every machine of any kind or character used by the public to provide amusement or entertainment whose operation requires the payment of or the insertion of a coin, bill, other money, token, ticket, or similar object, and the result of whose operation depends in whole or in part upon the skill of the player, whether or not it affords an award to a successful player, and which can be legally shipped interstate according to federal law. Examples of bona fide coin-operated amusement machines include, but are not limited to, the following:

1. Pinball machines.
2. Console machines, including 8-line slot machines.
3. Video games.
4. Crane machines.
5. Claw machines.
6. Pusher machines.
7. Bowling machines.
8. Novelty arcade games.
9. Foosball or table soccer machines.
10. Miniature racetrack or football machines.
11. Target or shooting gallery machines.
12. Basketball machines.
13. Shuffleboard games.
14. Kiddie ride games.
15. Skee-ball machines.
16. Air hockey machines.
17. Roll down machines.
18. Coin-operated pool table or coin-operated billiard table.
19. Any other similar amusement machine which can be legally operated in Massachusetts.
20. Every machine of any kind or character used by the public to provide music whose operation requires the payment of or the insertion of a coin, bill, other money, token, ticket, or similar object, such as jukeboxes or other similar types of music machines.

“Play” is an individual bet that can, apart from any other bet made by a player, result in a winning

outcome. More than one play may be made simultaneously on the same amusement machine.

(b) Nothing in this chapter shall apply to a coin operated game or device designed and manufactured for bona fide amusement purposes only which may, by application of some skill, entitle the player to earn replays of the game or device at no additional cost and to discharge the accumulated free replays only by reactivating the game or device for each accumulated free replay or by reactivating the game or device for a portion or all of the accumulated free plays in a single play. This section shall not apply, however, to any game or device classified by the United States government as requiring a federal gaming tax stamp under applicable provisions of the Internal Revenue Code.

(c) (1) Nothing in this chapter shall apply to a coin operated game or device designed and manufactured only for bona fide amusement purposes which involves some skill in its operation if it rewards the player exclusively with:

(A) Free replays;

(B) Merchandise limited to non-cash merchandise, prizes, toys, gift certificates, or novelties, each of which has a wholesale value of not more than \$25.00 received for a single play of the game or device;

(C) Points, tokens, vouchers, tickets, or other evidence of winnings which may be exchanged for rewards set out in subparagraph (A) of this paragraph or subparagraph (B) of this paragraph or a combination of rewards set out in subparagraph (A) and subparagraph (B) of this paragraph; or

(D) Any combination of rewards set out in two or more of subparagraph (A), (B), or (C) of this paragraph. This subsection shall not apply, however, to any game or device classified by the United States government as requiring a federal gaming stamp under applicable provisions of the Internal Revenue Code.

(2) A player of bona fide coin operated amusement games or devices described in paragraph (1) of this section may accumulate winnings for the successful play of such bona fide coin operated amusement games or devices through tokens, vouchers, points, or tickets. Points may be accrued on the machine or device. A player may carry over points on one play to subsequent plays. A player may redeem accumulated tokens, vouchers, or tickets for non-cash merchandise, prizes, toys, gift certificates, or novelties so long as the amount of tokens, vouchers, or tickets received does not exceed \$25.00 for a single play.”

AMENDMENT NO. 133

REJECTED – ROLL CALL # 343

Mr. Webster of Hanson moves that House bill 4591 be amended, in lines 170 through 172, inclusive, by striking the words “to a thoroughbred horse racing facility or to a harness racing facility” and inserting in place thereof the following:

“that permits the licensee”;

and further, by striking lines 174 through 176, inclusive;

and further, in lines 240 to 241, by striking the words “, category 2 or category 3 gaming license” and inserting in place thereof the following:

“or a category 2 gaming license.”;

and further, in lines 242 to 243, by striking the words “, category 2 or category 3 gaming license” and inserting in place thereof the following:

“or a category 2 gaming license.”;

and further, by striking lines 254 through 259, inclusive;

and further, in section 2 of proposed chapter 23K, after line 383, by inserting the following new definition:

“Slot parlor”, a gaming establishment approved under a category 2 license that includes a number of slot machines not greater than the maximum number of slot machines approved by the commission under the qualifications of the category 2 license.”;

and further, in lines 961 to 962, by striking the words “or category 3”;

and further, in lines 1171 to 1172, by striking the words “or category 3”;

and further, in line 1179, by striking the words “or category 3”;

and further, in line 1482, by striking the words “or category 3”;

and further, by striking lines 1497 through 1556, inclusive, and inserting in place thereof the following:

“(d) The commission may issue four category 2 licenses. An applicant who is eligible for a category 2 license pursuant to this section may apply for a category 1 license; provided, however, that upon receipt of a category 1 license said applicant shall continue to pay the applicable tax required of category 2 licensees.

(e) A category 2 license issued pursuant to this chapter shall not be transferrable or assignable without the approval of the commission for a period of 5 years after issuance unless: (i) the licensee experiences financial hardship; (ii) a change in ownership; or (iii) fails to maintain suitability or other circumstances which the commission may consider, which impact licensees ability to successfully operate a gaming establishment.

(f) Notwithstanding the foregoing, and upon approval by the commission, a category 2 licensee may merge its license with one other category 2 licensee and locate the total number of slot machines allotted to each licensee at a single licensed category 2 gaming establishment. A category 2 licensee may not merge with more than 1 other category 2 licensee.

An applicant for a category 2 license shall apply for a merged license with an eligible applicant for a category 3 license in their initial application to the commission. The commission shall approve any merger agreement and shall require parties to the merger to be qualified for licensure pursuant to the criteria set forth in sections 13 and 19.

(g) A category 1 license issued pursuant to this chapter shall be for a period of 15 years from the date of first issuance; provided, however, that 5 years after issuance, and every 5 years thereafter, the commission shall perform a thorough review of the business strategy of the resort casino which shall include plans for expansion and marketing submitted by the licensee. The commission shall establish procedures for renewal and set the renewal fee based on the cost of fees associated with the evaluation of a licensee requesting a renewed category 1 license.

A category 2 license issued pursuant to this chapter shall be for a period of 5 years. The commission shall establish procedures for renewal and set the renewal fee based on the cost of fees associated with the evaluation of a licensee; provided, however, that the cost of renewal shall not be less than \$100,000.”; and further, by striking lines 1650 through 1669, inclusive, of section 22 of proposed chapter 23K, and inserting in place thereof the following:

“Section 22. (a) Applicants for a category 2 license shall invest not less than \$75,000,000 into the gaming facility and racecourse, if applicable.

The investment required under this section shall be made within 2 years of receiving a gaming license; provided, however, that any infrastructure improvements necessary to increase visitor capacity and account for traffic mitigation, as determined by the commission, shall be completed before the category 2 licensee shall be authorized to operate any slot machine at the gaming facility.

(b) The required licensing fee for a category 2 license shall be not less than \$15,000,000. The commission shall raise the license fee if an applicant for a category 2 license cannot demonstrate to the satisfaction of the commission that the applicant will advance any of the objectives set forth in section 19.

(c) If the commission approves the merger of two category 2 licensee pursuant to section 20 and grants a merged license, the applicants shall pay \$30,000,000 and shall agree to invest \$150,000,000 into the gaming facility and racecourse.”;

and further, by striking lines 1677 through 1702, inclusive, of section 23 of proposed chapter 23K and inserting in place thereof the following:

“Section 23. (a) If applicable, an applicant for a category 2 licensee shall maintain any racing facility on the premises that is active at the time the application for a category 2 license is filed; provided, however, that said licensee shall increase the number of live racing days to a minimum of 125 days according to the following schedule:

(i) in the first calendar year of operation a licensee shall hold 105 racing days;
(ii) in the second calendar year of operation a licensee shall hold 115 racing days; and
(iii) in the third calendar year of operation a licensee shall hold 125 racing days.
(b) Said category 2 licensee may increase the number of live racing days if said licensee is holding a minimum of 125 racing days within 3 years of receiving a category 2 license. If said category 2 licensee does not conduct live racing for the minimum number of days set forth in subsection (a), the commission shall suspend the category 2 license.
(c) After 3 years of operation, and in consultation with the parties to the purse agreement, the commission may adjust the amount of required racing days at a category 2 facility based on fields, demand and racing performance.
(d) A category 2 licensee shall have an annual purse agreement in effect by December thirty-first of each year for the following year's racing; provided, however, that if the parties to a purse agreement at a category 2 facility cannot in good faith negotiate an agreement by December thirty-first, the purse agreement shall be arbitrated by the commission.”;
and further, in line 1927, by striking the words “, category 2 or category 3 licensee” and inserting in place thereof the following:
“or a category 2 licensee”;
and further, in line 1943, by striking the words “, category 2 or category 3 licensee” and inserting in place thereof the following:
“or a category 2 licensee”;
and further, in line 2010, by striking the words “, category 2 or category 3 licensee” and inserting in place thereof the following:
“or a category 2 licensee”;
and further, in line 2263, by striking the words “, category 2 or category 3” and inserting in place thereof the following:
“or a category 2”;
and further, by inserting after line 2092, after section 28 of proposed chapter 23K, the following new section:
“Section 28A. (a) Notwithstanding any general or special law, rule or regulation to the contrary, an applicant for a category 2 license may request with their gaming license application, and the commission may grant, a slot parlor beverage license for the sale and distribution of alcoholic beverages to be drunk on the premises of a category 2 gaming establishment. No alcoholic beverages shall be sold or distributed on the premises of a category 2 gaming establishment without such a license. The authority to enforce, regulate and control the distribution of alcoholic beverages in the category 2 gaming facility shall be exclusively vested in the commission.
(b) Except as otherwise provided in this section, or by regulations promulgated by the commission, the provisions of chapter 138 and the rules and regulations promulgated by the alcoholic beverages control commission shall apply to a category 2 gaming establishment and a slot parlor beverage license.
(c) Issuance fees for the slot parlor beverage license shall be included with the gaming application fee. If a category 2 licensee does not apply for a slot parlor beverage license at the time of application, said licensee shall be subject to an additional licensing fee determined by the commission.
(d) A licensee under this section shall not be permitted to distribute alcohol free of charge.
(e) A licensee under this section shall be permitted to sell alcohol daily after 8 antemeridian and before 2 antemeridian.
(f) The request submitted to the commission for a slot parlor beverage license by an applicant or licensee for a category 2 license shall detail all areas where alcoholic beverages will be served within the resort casino. In issuing said license, the commission shall describe the scope of the particular license and any restrictions and limitations.
(g) A category 2 licensee shall be responsible for any violations of their slot parlor beverages license in the gaming facility. The commission may revoke, suspend, refuse to renew or refuse to transfer any slot parlor beverage license for violations of any provision of chapter 138, regulations promulgated by the

alcoholic beverages control commission and the regulations promulgated by the commission. If, at any time, a licensee elects temporary suspension of their category 2 license due to violations of this section, said licensee shall owe the commonwealth the average tax on gross gaming revenue based on an appropriate period of time as determined by the commission for the number of days operation was suspended.

(h) A slot parlor beverage license shall be nontransferable without prior approval from the commission. If the license granted under this act is cancelled, revoked or no longer in use, it shall be returned physically, with all the legal rights, privileges and restrictions pertaining thereto, to the commission and the commission may then grant the license to a new gaming licensee under the same conditions as specified in this section.

(i) A license granted under this section shall not decrease the number of such licenses authorized to be granted to the host community under the provisions of chapter 138.”;

and further, by striking lines 2811 through 2822, inclusive, and inserting in place thereof the following:

“(b) Category 2 licensees shall pay a daily tax of 40 per cent on gross gaming revenue.

(c) In addition to the tax imposed under subsection (b), category 2 licensees shall pay a daily assessment of 9 per cent of their gross gaming revenue to the Massachusetts race horse development fund established by section 53.

(d) If a merger is approved by the commission subject to section 20, the new category 2 licensee shall pay a daily assessment of 9 per cent of their gross gaming revenue to the Massachusetts race horse development fund established by section 53.”;

and further, in lines 2826 through 2827, inclusive by striking the words “, category 2 licensee and a category 3” and inserting in place thereof the following:

“and a category 2”;

and further, in line 2970, by striking the words “, 2 or 3” and inserting in place thereof the following:

“or a category 2”;

and further, in line 2998, by striking the words “and category 3”;

and further, in line 3025, by striking the words “of the active and operating category 2 licensees conducting live racing” and inserting in place thereof the following:

“active and operating harness horse racing facility and thoroughbred horse racing facility, as defined by section 2 of chapter 23K”.

AMENDMENT NO. 134 CONSOLIDATED “LICENSING”

Representatives Fallon of Malden, Hill of Ipswich, Gregoire of Marlboro, Atsalis of Barnstable, Rice of Gardner, McCarthy of East Bridgewater and Smith of Everett move to amend House No. 4591 in Section 2 of Chapter 23K, by inserting at the end of line 177 the following:

“Category 4 license, a license issued by the commission with the approval of the governing body for the host community to a duly chartered non-profit veterans organization as defined and organized pursuant to the Laws of the Commonwealth of Massachusetts.”

AMENDMENT NO. 135 CONSOLIDATED “LICENSING”

Representatives Fallon of Malden, Hill of Ipswich, Gregoire of Marlboro, Atsalis of Barnstable, Rice of Gardner, McCarthy of East Bridgewater and Smith of Everett move to amend House No. 4591 in Section 2 of Chapter 23K, at the end of line 231, by inserting the following:

“; or, pursuant to Massachusetts Law a duly organized non-profit organization created for the sole purpose of benefitting veterans as the same is defined by Laws of the Commonwealth of Massachusetts.

AMENDMENT NO. 136 CONSOLIDATED “LICENSING”

Mr. Fallon of Malden moves to amend House No. 4591 in Section 2 of Chapter 23K, in line 254, by inserting after “gaming equipment and” the following:

“/or”

AMENDMENT NO. 137 CONSOLIDATED “LICENSING”

Representatives Fallon of Malden, Hill of Ipswich, Gregoire of Marlboro, Atsalis of Barnstable, Rice of Gardner, McCarthy of East Bridgewater and Smith of Everett move to amend House No. 4591 in Section 27 of Chapter 23K by inserting at the end of line 2034 the following subsection:

“(k) A category 4 license may operate a gaming establishment as regulated and directed from time to time by the host community.”

AMENDMENT NO. 138 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Fallon of Malden moves to amend House No. 4591 in Section 36 of Chapter 23K, in line 2696, by striking out Section 36 subsection (v) in its entirety.

AMENDMENT NO. 139 CONSOLIDATED “LICENSING”

Representatives Fallon of Malden, Hill of Ipswich, Gregoire of Marlboro, Atsalis of Barnstable, Rice of Gardner, McCarthy of East Bridgewater and Smith of Everett move to amend House No. 4591 in Section 40 of Chapter 23K, by inserting at the end of subsection (e) at line 2826, the following subsection:

“(f) Notwithstanding any language hereinabove to the contrary, category 4 licensees shall pay a daily tax of five percent (5%) of their gross gaming revenue to the Commission and a daily tax of five percent (5) of their gross gaming revenue to the host community.”

AMENDMENT NO. 140 CONSOLIDATED “REVENUE”

Mr. Sannicandro of Ashland moves to amend the bill in section 59, by adding, in line 3124, the following: “;provided that funds be set aside for the Special Education Circuit Breaker, provided further that funds be set aside for per capita per students for cities and towns, whose target share is below 50% of its foundation budget”

AMENDMENT NO. 141 CONSOLIDATED “REVENUE”

Ms. Khan of Newton moves to amend House No. 4604 in Section 52, by inserting at the end of line 3020 the following:

(g) not less than, \$12,000,000 shall be transferred, on an annual basis, to the Massachusetts Cultural Facilities Fund to be used for non-profits, arts, humanities, and science organizations;

AMENDMENT NO. 142 CONSOLIDATED “REVENUE”

Mr. Keenan of Salem, Ms. Grant of Beverly, Mr. Falzone of Saugus, Mr. Pignatelli of Lenox, Mr. Wallace of Boston, Rep. Speliotis of Danvers, and Ms. Benson of Lunenburg to amend the bill in Section 51, line 2986, by striking out after 10 “;” and inserting in place the following:-
, of which shall fund the tourist promotion agencies as defined in Subsection c of said chapter.

AMENDMENT NO. 143 CONSOLIDATED “REVENUE”

Mr. Keenan of Salem, Ms. Grant of Beverly, Mr. Falzone of Saugus, Mr. Pignatelli of Lenox, Mr. Wallace of Boston, Rep. Speliotis of Danvers, and Rep. Benson of Lunenburg to amend the bill in Section 52, line 3005, by striking out after 10 “;” and inserting in place the following:-
, of which shall fund the tourist promotion agencies as defined in Subsection c of said chapter.

AMENDMENT NO. 144 ADOPTED

Mr. Keenan of Salem moves to amend the bill, in section 52, by striking out the words, “not more than 3 years and not more than 15 years”, in lines 3625 to 3626, and inserting in place thereof the following words:- “not less than 3 years and not more than 15 years”.

AMENDMENT NO. 145 CONSOLIDATED “REVENUE”

Ms. Khan of Newton moves to amend House No. 4604 in Section 52, by inserting at the end of line 3005:
(b) One percent shall be transferred to the Massachusetts Cultural Council for operational costs;

AMENDMENT NO. 146 CONSOLIDATED “LICENSING”

Mr. Rice of Gardner moves to amend the bill in SECTION 12, Chapter 23K, Section 7, after line 877, by adding the following section: “(g) Notwithstanding other provisions of this act, the commission shall not have any authority or jurisdiction over category 4 licenses. Local licensing authorities shall have exclusive jurisdiction and enforcement authority over category 4 licensees, and all fees and assessments shall be retained by the host community. In addition, local licensing authorities shall have jurisdiction over the criteria and selection of vendors servicing category 4 licenses.”

AMENDMENT NO. 147 CONSOLIDATED “LICENSING”

Mr. Michlewitz of Boston moves to amend the bill (House, No. 4591) in section 12, in subsection 2, in line 290, by striking out the words “any municipality” and inserting in place thereof the words “any State Senatorial district in which a gaming establishment is or may be located.”

AMENDMENT NO. 148 CONSOLIDATED “LICENSING”

Mr. Michlewitz of Boston moves to amend the bill (House, No. 4591) in section 12, in subsection 16, by striking out paragraph (a) in lines 1157 to 1170, and inserting in place thereof the following paragraph “No person shall be eligible to receive any form of a gaming license without a certified and binding voted in favor of such license on a ballot question at an election in the host community where the gaming establishment will be located; provided further that the host community shall be reimbursed for its expenses related to the election by the applicant for a gaming license.

An applicant for a gaming license shall have certification of ballot approval by the host community within 3 months of submitting an application for a gaming license to the commission; provided, however, that the applicant shall include with the application a certified letter from the clerk or clerks of the host community of a date certain for the election within the 3 month period.”

And further move that section 12, subsection 16, in lines 1171 to 1182, inclusive, by striking out the paragraph in those lines.

AMENDMENT NO. 149 REJECTED

Mr. Brownsberger of Belmont and Mr. Hecht of Watertown move that the bill, H4591, be amended in line 1305 by adding after the words "provided, however, that" the words "as to an applicant whose suitability has not yet been determined pursuant to Section 18 or as to an applicant who has been found unsuitable"

The bill is further amended in line 1330 by inserting before the last sentence the sentence. "As to an applicant who has been found suitable pursuant to Section 18, all application material and all information required by the commission shall be public records for the purposes of Section 10 of Chapter 66, excluding only the following information which shall be confidential: information concerning (i) trade secrets; (ii) a minor child of the applicant; (iii) the social security number of an applicant or the spouse of an applicant; (iii) the home telephone number or address of an applicant or the spouse or children of an applicant; (iv) the birth certificate of the applicant or information relating to the date or place of birth of an applicant's spouse; (v) the driver's license number of an applicant or an applicant's spouse; (vi) the name or address of a previous spouse of the applicant."

AMENDMENT NO. 150 REJECTED – ROLL CALL # 326

Mr. Guyer of Dalton moves to amend the bill in Section 12, in line 1481, by inserting after the words “section 1”, the following: “; provided, however, that a category 1 gaming facility must be located in a municipality through which an interstate highway runs or is contiguous to”

AMENDMENT NO. 151 CONSOLIDATED “LICENSING”

Mr. Fernandes of Milford moves to amend H. 4591, in paragraph (c) of subsection 16 of Section 12, in line 1186, by striking after the word “site” the words “A community”, and striking lines 1187 to 1194, inclusive, and inserting in place thereof the following: “ In a community which has not adopted the provisions of 43D, the Planning Board shall designate a local permitting ombudsman, who shall be a planning board member or a member of the planning board’s professional staff, to help coordinate and expedite local permitting of the category 1 facility. In a community where no professional planning staff exists, the local permitting ombudsman shall be a panel consisting of 1 representative from the planning board, 1 member from the zoning board of appeals, 1 member from the conservation commission, 1 member from the police department, 1 member from the fire department and 1 member from the department of public works to coordinate and expedite local permitting of the category 1 facility. In either case, the ombudsman shall not assume the permitting authority of the individual boards, commissions, or departments referred to herein.”

AMENDMENT NO. 152 CONSOLIDATED “LICENSING”

Mr. Fernandes of Milford moves to amend H. 4591, in paragraph (b) of subsection 10 of Section 12, in line 957, by inserting after the word “commission” the following: “ and in a newspaper of general circulation in the host community.”

AMENDMENT NO. 153 CONSOLIDATED “LICENSING”

Mr. Fernandes of Milford moves to amend H. 4591, in paragraph (a) of subsection 19 of Section 12, in lines 1407 to 1408, by striking the words “any statements made” in lines 1407 to 1408 and inserting in place thereof the words “evidence submitted.”

AMENDMENT NO. 154 CONSOLIDATED “REVENUE”

Mr. Fernandes of Milford and Mr. Peterson of Grafton move to amend H. 4591, in subsection 59 of section 12, in line 3124, by inserting after the word “law” the following: “, that shall be in addition to and not supplanting Chapter 70 funds.”

AMENDMENT NO. 155 CONSOLIDATED “LICENSING”

Mr. Fernandes of Milford moves to amend H. 4591, in paragraph (5) of subsection 14 of Section 12, in line 1099, by inserting after the word “development” the following: “, and all host community impact and mitigation issues.”

AMENDMENT NO. 156 ADOPTED

Mr. Dempsey of Haverhill moves to amend the bill by striking out section 2.

AMENDMENT NO. 157 CONSOLIDATED “LICENSING”

Mr. Swan of Springfield moves to amend the bill in section 21, by striking Section 21, line 1632 paragraph (c) and inserting in lieu thereof the following:

“(c) A category 1 licensee shall pay to the commission a fee of \$100,000,000 within 30 days of the final award of the license which sets forth the conditions to be satisfied by the licensee before the gaming facility may be opened to the public. The Commission shall set any renewal fee for such license based on the cost of fees associated with the evaluation of a category 1 licensee pursuant to Section 20 of this chapter, and such renewal fee will be exclusive of any subsequent license fees under this section.”

AMENDMENT NO. 158 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Swan of Springfield moves to amend the bill in Section 43 of Laws (NEW) contained in Section 12 of bill (Lines 2836, 2839-40, 2842, 2843, 2850, 2853, 2854, and 2856) as follows:

“Line 2836: change “prize in excess of \$600,” to read: “prize, ticket or redemption of chips or tokens in excess of \$10,000”

“Lines 2839-40, and also line 2842: change “holder of a winning ticket” to “payee”

“Lines 2843, 2850, 2853, 2854, and 2856: change “holder” to “payee” (or “payee’s” as applicable)

AMENDMENT NO. 159 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Swan of Springfield moves to amend the bill in Section 44 of Laws (NEW) contained in Section 12 of the bill (lines 2867, 2861) as follows:

“Line 2867: change “holder” to “payee” (or “payee’s” as applicable.)”

“Line 2861: change “holders of any winning ticket in excess of \$600.00” to read: “payee of any prize or currency transaction in excess of 10, 000”

AMENDMENT NO. 160 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Swan of Springfield moves to amend the bill in Section 44 of Laws (NEW) contained in Section 12 of the bill (lines 2867, 2861) as follows:

“Line 2867: change “holder” to “payee” (or “payee’s” as applicable.)”

“Line 2861: change “holders of any winning ticket in excess of \$600.00” to read: “payee of any prize or currency transaction in excess of 10, 000”

AMENDMENT NO. 161 REJECTED – ROLL CALL # 342

Ms. Callahan of Sutton moves to amend House Bill 4591 by inserting in Section 22 the following section:

“(e) Prior to the approval of a category 2 or category 3 license, all funds previously received from the State Racing Commission or any other state agency or division in any previous fiscal year must be remitted to the General Fund of the Commonwealth in addition to the licensing fee by the applicant.”

AMENDMENT NO. 162 REJECTED

Mr. Quinn of Dartmouth, Koczera of New Bedford, Patrick of Falmouth move to amend the bill in Section 20, in line 1503, by striking out the following: “An applicant who is eligible for a category 2 license pursuant to this section may apply for a category 1 license.” and inserting in place thereof the following: “An applicant may apply for more than one category of license and upon receipt of any one category of license shall be ineligible to receive any other category of license.”

and moves to amend the bill in Section 20, in line 1515, by striking out the following: “An applicant who is eligible for a category 3 license pursuant to this section may apply for a category 1 license.” and inserting in place thereof the following: “An applicant may apply for more than one category of license and upon receipt of any one category of license shall be ineligible to receive any other category of license.”

AMENDMENT NO. 163 CONSOLIDATED “LICENSING”

Representative Walz of Boston moves to amend the bill in section 12, in line 207 by inserting after the definition for “division” the following:

“‘Entertainment space operating on gaming venue premises’, a building or part thereof, operating on the site of a gaming venue, in which is intended the presentation of performances for the entertainment of spectators, which has a seating capacity of more than fifty, with a stage or area which can be used for scenery and other appliances.”

And further in said section 12 by adding at the end the following:

Section XXX. “The applicant’s proposal should provide that the facility will not be marketed or used as a venue for Broadway-type plays or theatrical performances of a musical or non-musical variety; except that this limitation shall not prevent the facility from being marketed to hold, and from holding, fairs, concerts, comedy shows, sporting and other entertainment events which are open generally to the public and if held in an indoor entertainment space operating on gaming

venue premises, with no stage house, with a fixed or non-fixed seating capacity not to exceed 1,000 people for musical concerts and comedy shows, and with no restriction on seating capacity for other events.”

AMENDMENT NO. 164 CONSOLIDATED “LICENSING”

Representative Walz of Boston moves to amend the bill in section 12 by adding at the end the following:

Section XXX. The applicant’s proposal should provide that the applicant will make quarterly deposits, at the end of each calendar quarter, into the Performing Arts Center Fund under the control of the Massachusetts Gaming Commission, an amount equal to 50% of the total spent by the casino operator, related entities or assigns, on performance fees, commissions and royalties for all events held at all entertainment spaces of 1,000 or more seats operating on gaming venue premises during the prior quarter. For events where performance fees or royalties are paid by an outside promoter or other unrelated entity, the casino operator shall deposit into the Performing Arts Center Fund an amount equal to 50% of the total amount received by the casino operator from the promoter or other unrelated entity, in rental fees, share of ticket sales or other amounts. All amounts in the Performing Arts Center Fund will be distributed on a quarterly basis, equally, to Massachusetts’ large not-for-profit performing arts centers, defined as those organizations: 1) owning or operating one of more venues of 2,000 or more seats per performance space, 2) operating under Internal Revenue Service 501(c)(3) tax exempt status or operating as a municipally owned facility where 80% or more of the facility’s total square footage is used exclusively for the purpose of presenting performance events for the public, and 3) presenting an average of 100 or more public events per year.

And further in said section 12 by adding after subsection 59 the following:

Section XXX. There is hereby established and set up on the books of the commonwealth a fund to be known as the Performing Arts Center Fund.

AMENDMENT NO. 165 CONSOLIDATED “LICENSING”

Representative Walz of Boston moves to amend the bill in section 12 by adding at the end the following:

Section XXX. In addition to the fees collected under this section and any additional costs of the commission, the commission shall assess an annual fee of not less than \$15,000,000 in proportional shares against each gaming licensee in proportion to the number of gaming positions at each gaming facility to offset the impact of non-competitive booking of performances on non-profit performing arts centers. Such assessed fees shall be deposited into a Performing Arts Center Fund under the direct control of the Massachusetts Gaming Commission, from which proceeds shall be distributed on a quarterly basis, equally, to Massachusetts’ existing large not-for-profit performing arts centers, defined as those organizations: 1) owning or operating one of more venues of 2,000 or more seats per performance space, 2) operating under Internal Revenue Service 501(c)(3) tax exempt status or operating as a municipally owned facility where 80% or more of the facility’s total square footage is used exclusively for the purpose of presenting performance events for the public, and 3) presenting an average of 100 or more public events per year.

And further in said section 12 by adding after subsection 59 the following:

Section XXX. There is hereby established and set up on the books of the commonwealth a fund to be known as the Performing Arts Center Fund.

AMENDMENT NO. 166 CONSOLIDATED “REVENUE”

Representative Walz of Boston moves to amend the bill in section 12, in line 3006 by striking out lines 3006-3011 and inserting in place thereof the following:

“(b) Four percent shall be transferred to the community mitigation fund established by section 54; provided, however, that said fund balance shall not exceed \$30,000,000. Fifty percent of all funds in excess of \$30,000,000 shall be transferred to the local capital projects fund established by section 58 and fifty percent of all funds in excess of \$30,000,000 shall be transferred on a quarterly basis, equally, to

Massachusetts' existing large not-for-profit performing arts centers, defined as those organizations: 1) owning or operating one of more venues of 2,000 or more seats per performance space, 2) operating under Internal Revenue Service 501(c)(3) tax exempt status or operating as a municipally owned facility where 80% or more of the facility's total square footage is used exclusively for the purpose of presenting performance events for the public, and 3) presenting an average of 100 or more public events per year."

AMENDMENT NO. 167 CONSOLIDATED "GENERAL GAMING, REGULATION"

MR. WALSH of BOSTON moves that the bill be amended by adding at the end thereof the following:

SECTION 1. To facilitate the auditing and security programs critical to the integrity of slot machine gaming in this Commonwealth, the Commission shall have overall control of gaming devices and all gaming devices shall be linked to a central control computer system under the control of the Gaming Commission to provide auditing program capacity and individual gaming machine information as approved by the Commission and shall include real time information retrieval and terminal activation and disabling programs.

SECTION 2. A system controlled by the Gaming Commission to which all gaming machines communicate for the purpose of auditing capacity, real-time information retrieval of the details of any financial or security event that occurs in the operation of a slot machine, including, but not limited to coin in/coin out, ticket in/ticket out, jackpots, machine door openings and power failure, and remote machine activation and disabling.

SECTION 3. The central control computer selected and employed by the Commission shall not unduly limit or favor the participation of a vendor or manufacturer of a gaming device.

SECTION 4. The central control computer shall provide:

- (1) A fully operational statewide gaming machine control system that has the capability of supporting up to the maximum number of devices that could be permitted to be in operation under this part.
- (2) The employment of a widely accepted gaming industry protocol to facilitate gaming machine manufacturers' ability to communicate with the statewide system.
- (3) The delivery of a system that has the capability to support in-house and wide area progressive gaming machines as approved by the Commission.
- (4) The delivery of a system that allows the gaming licensee to install independent player tracking systems and cashless technology as approved by the Commission.
- (5) The delivery of a system that does not alter the statistical awards of gaming machine games, as designed by the gaming machine manufacturer and approved by the Commission.
- (6) The delivery of a system that provides redundancy so that each component of the network will be capable of operating independently by the Commission if any component of the network, including the central control computer, fails or cannot be operated for any reason as determined by the Commission, and to assure that all transactional data is captured and secured.

- (7) The ability to meet all reporting and control requirements as prescribed by the Commission.
- (8) Any other capabilities as determined by the Commission
- (9) The central control computer shall not provide for the monitoring or reading of personal or financial information concerning a patron of a gaming licensee.

AMENDMENT NO. 168 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Moran of Boston moves to amend H. 4591 in Section 12, in subsection 28, in line 2039 by inserting the following item after “resort casino:”

“including any associated hotel and individual rooms and mini-bars at such hotels.”

AMENDMENT NO. 169 CONSOLIDATED “LICENSING”

Mr. Moran of Boston moves to amend H. 4591 in Section 12, subsection 17, by striking out lines 1244 to 1246 and replacing with the following item:

“(2) providing up to 600 square feet of complimentary on-site space for an independent substance abuse and mental health counseling service to be selected by the Commission at a discreet location on the gaming facility campus;”

AMENDMENT NO. 170 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Walsh of Boston moves to amend the bill H. 4591 in lines 2704 by adding the following “As used in this sub-section, the term ‘wager’ shall not include operating, or participation in, poker, chess, bridge, mahjong or any other game or tournament where success is predominantly determined by a player’s skill, where the structure of the game or tournament provides for competition only between and among participants, and where the person operating the game or tournament is not a participant in the game or tournament.”

AMENDMENT NO. 171 CONSOLIDATED “LICENSING”

Mr. Canessa of New Bedford moves to amend the bill in subsection (a) of SECTION 20 of Chapter 23K, in line 1497, by striking out the following: “The Commission may issue 2 category 1 licenses;” and inserting in place thereof the following:

“The Commission may issue up to 3 category 1 licenses;”

AMENDMENT NO. 172 CONSOLIDATED “REVENUE”

Mr. Canessa of New Bedford moves to amend the bill in SECTION 51 of Chapter 23K in line 2974; and also in subsection (b) in SECTION 52 of Chapter 23K in line 3009; and also in subsection (b) of SECTION 54 of Chapter 23K in line 3072 by striking out the figures “\$15,000,000” and inserting in place thereof the figures “\$30,000,000”.

AMENDMENT NO. 173 CONSOLIDATED “LICENSING”

Mr. Canessa of New Bedford moves to amend the bill in the (iii) paragraph of subsection (a) of SECTION 19 of Chapter 23K, in line 1423, by inserting after “establishment;” the following:

“said plan will provide hiring preference for citizens of the Commonwealth, and in particular, those who reside within the host and surrounding communities”.

AMENDMENT NO. 174 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Canessa of New Bedford moves to amend the bill in subsection (f) of SECTION 33 of Chapter 23K, in line 2313, by striking out the following: “this chapter” and inserting in place thereof the following:

“Chapter 23K. State police shall have concurrent enforcement with local law enforcement within the host community of any criminal violations that occur inside a licensed gaming establishment outside of Chapter 23K

AMENDMENT NO. 175 CONSOLIDATED “LICENSING”

Mr. Canessa of New Bedford moves to amend the bill in SECTION 2 of Chapter 23K, in line 176, by inserting after “‘Category 3 license’, a license issued by the commission to a greyhound racing facility to operate up to 750 slot machines at its gaming facility” the following:

“ ‘Category 4 license’, a license issue by the commission to an international airport within Suffolk County, to be managed by the Massachusetts State Lottery, to operate up to 750 slot machines on its premises”.

AMENDMENT NO. 176 CONSOLIDATED “REVENUE”

Mr. Canessa of New Bedford moves to amend the bill in subsection (b) of SECTION 54 of Chapter 23K in line 3075, by striking out the following: “contiguous” and inserting in place thereof the following: “surrounding”.

AMENDMENT NO. 177 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Walsh of Boston, Mr. Driscoll of Braintree and Mr. O’ Day of West Boylston move to amend House Bill 4591 in Section 11 of Chapter 23K, in line 81, by inserting after the word “unit” the following, “that shall include members of the police departments of the host communities,”;

and in Section 33 of Chapter 23k, in lines 2290 and 2291, by striking the words “under this chapter or any activity taking place on the premises of a gaming establishment” and inserting in place thereof the following “or any other person under this chapter”;

and in line 2294 by inserting the following after the word “police”, the following: “and the host communities”;

and move further to amend the bill in line 2312 by striking the words “criminal violation” and inserting the following “Violation of this Chapter”;

And in line 2313 by deleting the words “under this Chapter”.

AMENDMENT NO. 178 CONSOLIDATED “LICENSING”

Representative Provost of Somerville moves to amend the bill, H.4591, in lines 1123 and 1124, by striking the phrase “or in a bank with a full services branch present in the commonwealth;”

AMENDMENT NO. 179 CONSOLIDATED “GENERAL GAMING, REGULATION”

Ms. Peisch of Wellesley moves to amend House Bill No. 4591 in section 12, subsection 27 by adding the following:-

(k) Each gaming facility shall be required to make public the payback percentage on slot machines within the establishment by labeling every slot machine with the percentage of payback for that machine. The commission shall ensure that all gaming facilities in the commonwealth comply with posting the accurate payback percentage on slot machines. Failure to post such payback percentage information shall result in a suspension of the facility’s gaming license for a period of time to be determined by the commission.

AMENDMENT NO. 180 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Walsh of Boston moves to amend the bill H. 4591 in lines 2704 by adding the following “As used in this sub-section, the term ‘wager’ shall not include operating, or participation in, poker, chess, bridge, mahjong or any other game or tournament where success is predominantly determined by a player’s skill, where the structure of the game or tournament provides for competition only between and among

participants, and where the person operating the game or tournament is not a participant in the game or tournament.”

AMENDMENT NO. 181 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Conroy of Wayland moves to amend the bill in Chapter 23, Section 29 by adding the following subsection: “(h) under no circumstances may a licensee extend or issue credit to a patron of a gaming establishment who (i) receives any form of income-based public assistance including, but not limited to, food stamps, Temporary Assistance for Needy Families, Emergency Aid to Elders, Disabled and Children, public housing assistance, MassHealth, and unemployment insurance; (ii) has already failed to make timely payments of previous credit with the licensee. (j) A licensee shall not, under any circumstances, cash a government issued check. ”.

AMENDMENT NO. 182 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Conroy of Wayland moves to amend the bill in Chapter 23, Section 3 in line 417 by inserting after the word “treasurer” the following: “secretary of state and state auditor”;

in Chapter 23, Section 3 in line 425 by inserting after the word “treasurer” the following: “secretary of state and state auditor”;

in Chapter 23, Section 3 in line 449 by inserting after the word “treasurer” the following: “secretary of state and state auditor”;

in Chapter 23, Section 12 in line 991 by inserting after the word “commission” the following: “in collaboration with the state auditor”;

in Chapter 23, Section 13 in line 1058 by inserting after the word “commission” the following: “in collaboration with the state auditor”;

in Chapter 23, Section 14 in line 1103 by inserting after the word “to” the words: “fully funding”; in line 1103 by inserting after the word “communities” the words: “in accordance with an impact statement approved by the state auditor”;

in Chapter 23, Section 17 in line 1195 by inserting after the word “commission” the following: “in collaboration with the state auditor”;

in Chapter 23, Section 18 in line 1334 by inserting after the word “commission” the words: “and state auditor”;

in Chapter 23, Section 18 in line 1376 by inserting after the word “commission” the words: “and state auditor”;

in Chapter 23, Section 19 in line 1406 by inserting after the word “commission” the words: “and state auditor”;

in Chapter 23, Section 20 in line 1557 by inserting after the word “commission” the words: “or the state auditor”;

in Chapter 23, Section 49 in line 2930 by inserting after the word “commission” the words: “and the state auditor”.

AMENDMENT NO. 183 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Conroy of Wayland moves to amend the bill in Chapter 23, Section 7 in line 873 by adding the following sentences: “The commission shall also assess an amount equal to a CPI-adjusted growth in Massachusetts lottery funds distributed to municipalities, less the amount of gross gaming revenue dedicated to local aid in Section 12, subsection 53. The CPI-adjusted growth in Massachusetts lottery funds distributed to municipalities shall be calculated in the first year in which a licensee under this bill shall commence operation with a baseline of lottery distribution to localities equal to the average of the previous 3 years of distributed funds, and a CPI adjustment as calculated for the same year licensee operations have commenced. Such assessed fees shall be deposited into the Gaming Local Aid Fund established pursuant to section 55.”;

in Chapter 23, Section 14 in line 1082 by adding, after the word “guests” the following: “in multiple locations, prominently displayed, and geographically dispersed throughout the facilities;” ;

in Chapter 23, Section 55 in line 3090 by adding after the word “section” the following: “7 and”.

AMENDMENT NO. 184 CONSOLIDATED “LICENSING”

Mr. Conroy of Wayland moves to amend the bill in Chapter 23, Section 14 in lines 1104 to 1110, inclusive, by striking out the paragraph in those lines and inserting in place thereof the following paragraph: “(7) shall provide to the commission certification of a ballot election on a contractual agreement pursuant to Section 16; provided that the agreement shall include a community impact fee for the host community and an equivalent fee distributed in proportion to population to all abutting municipalities, including those within a 10 mile radius of the proposed gaming site, and all stipulations of responsibilities between the host community and all abutting communities including those within a 10 mile radius of the proposed site, and the applicant; and”;

in Chapter 23, Section 16 by striking Chapter 23, Section 16 and replacing it with the following section:

“Section 16. (a) No person shall be eligible to receive a category 1, category 2, or category 3 license without a certified and binding 2/3 vote in favor of such license on a ballot question at an election in the host community where the category 1, category 2, or category 3 facility will be located and a certified and binding vote in favor of such a license in all abutting municipalities, including all municipalities within a 10 mile radius of the proposed gaming site, following the release of the contractual agreement from the applicant to the host community and all abutting municipalities, including all municipalities within a 10 mile radius of the proposed gaming site, at least 90 days prior; provided further that the host community and all abutting municipalities, including all municipalities within a 10 mile radius of the proposed gaming site, shall be reimbursed for any expenses related to the election by the applicant for a category 1, category 2, or category 3 license.

An applicant for a category 1, category 2, or category 3 license shall have certification of 2/3 ballot approval by the host community and of majority ballot approval by all abutting municipalities, including all municipalities within a 10 mile radius of the proposed gaming site, within 3 months of submitting an application for a category 1, category 2, or category 3 license to the commission; provided, however, that the applicant shall include with the application a certified letter from the clerk of the host community and all abutting municipalities, including all municipalities within a 10 mile radius of the proposed gaming site, of a date certain for the election within the 3 month period; provided further that the applicant directly reimburses the host community and all abutting municipalities, including all municipalities within a 10 mile radius of the proposed gaming site, for any and all costs associated with the ballot election.” ;

in Chapter 23, Section 17 in line 1236 by inserting after the word “municipality” the words: “and all

abutting municipalities, including all municipalities within a 10 mile radius of the proposed gaming site”.

AMENDMENT NO. 185 CONSOLIDATED “LICENSING”

Mr. Conroy of Wayland moves to amend the bill in Chapter 23, Section 1 by adding the following paragraph: “(11) applicants for gaming licenses and gaming licensees shall demonstrate their commitment to supporting the right of employees to organize, to paying employees no less than lowest union wage, and to offering all part time and full time employees health insurance that meets or exceeds the minimum creditable coverage standards, paid sick days, retirement benefit plans and on-site child care services”;

in Chapter 23, Section 13 by adding the following two clauses: “(v) if it does not have a history of collaboration with organized labor or is not currently operating a gaming facility with organized labor within its employee base; (vi) has not clearly demonstrated in its application that it shall hire employees from organized labor unions.”;

in Chapter 23, Section 14 in line 1099 by adding, after the word “development” the first time it appears, the following: “including collaborating with organized labor, supporting the right of employees to organize, showing their commitment to paying employees no less than lowest union wage, and committing to offering both part time and full time employees health insurance that meets or exceeds the minimum creditable coverage standards, paid sick days, retirement benefit plans and on-site child care services”;

in Chapter 23, Section 17 in line 1263 by striking the word “employees” and inserting in place thereof the following: “both full time and part time employees in each functional job category, including on-site child care services and associated hourly rates for such services, health insurance rates, paid sick days and retirement benefit plans and expected owner/operator contribution levels.”;

in Chapter 23, Section 19 in line 1418 by striking clause iii of subsection (a) and inserting in place thereof the following clause:

“(iii) implementing a workforce development plan to utilize the existing labor force in the commonwealth and to offer fair wages and robust benefits, which includes:

- (A) supporting the right of employees to organize;
- (B) collaborating with organized labor;
- (C) paying all employees no less than lowest union wage;
- (D) offering all part time and full time employees health insurance that meets or exceeds the minimum creditable coverage standards;
- (E) offering all part time and full time employees a robust benefits package including paid sick days, subsidized on-site childcare, retirements benefit plans and expected owner/operator contribution levels;
- (F) developing workforce training programs that serve the unemployed;
- (G) estimating the number of permanent jobs and temporary construction jobs a proposed gaming establishment will generate and the mean and median wage for such jobs;
- (H) making employment at the gaming establishment accessible;”;

in Chapter 23, Section 21 in line 1602 by inserting after the word “hotel” the words: “a child care center”;

in Chapter 23, Section 21 in line 1625 by inserting after the word “hotel” the words: “and child care center”;

and in Chapter 23, Section 21 in line 1652 by inserting after the word “applicable” the words: “which shall include a child care center”.

AMENDMENT NO. 186 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Conroy of Wayland moves to amend the bill in Chapter 23, Section 29 in line 2134 by inserting after the word “name” the words: “or the name of an immediate relative”.

AMENDMENT NO. 187 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Conroy of Wayland moves to amend the bill in Chapter 23, Section 20 in line 1556 by inserting after the following: “\$100,000” the following paragraphs:

“A category 1, category 2, or category 3 licensee shall issue an annual report to the commission and the state auditor explicitly stating its progress on meeting each of the stated goals and stipulations put forth in the licensee’s original application. Inability to meet stated goals within a reasonable time frame, as determined by the commission, shall result in additional fees and/or taxes as deemed fair and reasonable by the commission. Failure to meet stated goals may also result at revocation of the license at any time by the commission.

A category 1, category 2, or category 3 licensee shall, in collaboration with the local or regional chamber of commerce, the host community and all local abutting communities, including those within a 10 mile radius of the gaming site, issue an annual report to the commission and the state auditor that explains how employment in the region has been affected by the gaming site, including but not limited to:

- (i) the total number of jobs created at all facilities associated with the gaming site, including, but not limited to, the hotel, child care center, retail, restaurant, and entertainment venues;
- (ii) the total number of jobs created and lost in retail, hospitality, and entertainment establishments in the host community and all abutting communities, including those within a 10 mile radius of the site;
- (iii) workforce development plans, including funding from the licensee, for the host and abutting communities and those within a 10 mile radius of the gaming site to restore any jobs that may have been lost in such communities that can be attributed in whole or in part by the operations of the licensee.”

AMENDMENT NO. 188 ~~ADOPTED – ROLL CALL # 327~~

Ms. Atkins of Concord moves to amend House, No. 4591 by adding in section 38 of chapter 23K of the General Laws, as inserted by Section 12, after line 2779, the following subsection:--

(h) Gaming establishments shall not market to persons on the excluded persons list.

AMENDMENT NO. 189 CONSOLIDATED “GENERAL GAMING, REGULATION”

Ms. Atkins of Concord moves to amend House, No. 4591 by adding in section 29 of chapter 23K of the General Laws, as inserted by Section 12, after line 2155, the following subsection:--

(h) automatic teller machines on the premises of a gaming facility shall not dispense more than \$100 to any person within a 24-hour period.

AMENDMENT NO. 190 ~~REJECTED – ROLL CALL # 328~~

Ms. Atkins of Concord moves to amend House, No. 4591 by inserting after section 31 of chapter 23K of the General Laws, as inserted by Section 12, after line 2229, the following section:--

Section 31A. Gaming facilities shall display clocks in prominent areas. Gaming facilities shall make public disclosure of additives to air flow, including oxygen. Pheromones shall not be added to the air in gaming facilities.

AMENDMENT NO. 191 CONSOLIDATED “GENERAL GAMING, REGULATION”

Ms. Atkins of Concord moves to amend House, No. 4591 by inserting after section 32 of chapter 23K of the General Laws, as inserted by Section 12, after line 2264, the following section:--

Section 32A. Security at gaming establishments shall conduct regular checks of parking areas for minors left in motor vehicles and shall report any such finding to the police at the gaming establishment.

AMENDMENT NO. 192 CONSOLIDATED “REVENUE”

Mr. Walsh of Boston, Mr Wallace of Boston, Mr. O’ Day of West Boylston, Mr. Driscoll of Braintree, Ms. Clark of Melrose moves to amend H. 4591 by inserting after section 60 the following section:

Section . (a) There shall be established and set up on the books of the Commonwealth a separate fund, to be known as the gambling revenue and public health trust fund, in this section called the public health fund. The public health fund shall consist of the monies transferred under sections 51 and sections 52 and all other monies credited or transferred to the public health fund from any other fund or source pursuant to law.

(b) The commissioner of public health shall be the trustee of the public health fund and shall expend monies in the fund, without further appropriation but subject to approval of an annual spending plan by the secretary of administration and finance. Funds may be expended for social services and public health programs needed to address problems resulting from gambling. Such services and programs shall be predominantly for, but not limited to, comprehensive problem gambling prevention, intervention, and treatment services; including services to address substance use disorders, domestic violence, and child welfare where there is a co-occurrence with gambling addiction. A comprehensive study and evaluation system shall be established to ensure proper and most effective mitigation of any negative public health costs. The commissioner of public health shall annually file a report with the secretary of administration and finance and the house and senate committees on ways and means detailing the activity of the fund; and may adopt regulations, after a public hearing, governing these expenditures.

AMENDMENT NO. 193 WITHDRAWN

Mr. Straus of Mattapoisett moves that the bill be amended by inserting the following in -

(A) Section 51 be amended by inserting the following after line 2987–

(7) \$300,000 shall be transferred to the Agricultural Business Development Trust Fund established in section 58

(B) Section 51 be amended by inserting the following after line 3020 –

(g) One per cent, shall be transferred to the Agricultural Business Development Trust Fund established by section 58, provided however that the amount transferred annually shall not be less than \$250,000 nor more than \$350,000

(C) The following section be added at the end after line 3779 –

The following section shall be added to Chapter 20 of the Massachusetts General Laws:
There is hereby established and placed upon the books of the Commonwealth a fund known as the Agricultural Business Development Trust Fund. The agricultural development trust fund shall be credited any monies transferred under section 51(7) of gaming laws. Said fund shall be utilized by the Commissioner of the Department of Agricultural Resources to carry out activities described in MGL 128 S. 2(k) in an amount not to exceed two hundred and fifty thousand dollars annually, and in providing grants as authorized under the Agricultural Innovation Center established pursuant to Chapter 61 of the Acts of 2007, and to fund the operation of the linked-deposit loan fund authorized pursuant to section 28 of Chapter 20. All expenditures from the fund shall be authorized by the Commissioner with concurrence of the Board of Agriculture, to be in the interest of further developing the agricultural sector of the

Commonwealth.

(D) The following section be added at the end after line 3779 –

Section 2 of Chapter 128 of the Massachusetts General Laws is hereby amended by inserting the following –

(k) The Commissioner shall establish a Domestic Animal Care Board consisting of eleven members, of which the Commissioner, or his designee, shall be a member and chair. Additional members shall include:

- A representative of the Massachusetts Veterinary Medicine Association, appointed by the Board of Directors of that organization, who is experienced in the care of small animals and in the commercial rearing of livestock or poultry;
- A representative of the Department of Public Health, assigned by the Commissioner of Public Health, who is knowledgeable in the areas of zoonotic disease and food safety;
- A representative of a Massachusetts humane organization recognized in MGL 22C: Section 57, appointed by the Commissioner;
- A representative of the Massachusetts Farm Bureau Federation; appointed by the Board of Directors of that organization;
- A representative of a family farm involved in the raising of poultry, appointed by the Commissioner;
- Two representatives of a family farms involved in the rearing of cows, swine or horses, appointed by the Commissioner;
- A representative of the pet shop industry appointed by the Commissioner;
- A representative of rescue/shelter community appointed by the Commissioner;
- A member of the general public representing consumers appointed by the Governor.

Members shall serve a term of three years, and shall remain eligible for reappointment at the end terms served. The purpose of the Board shall be to advise the Commissioner on appropriate actions to be taken by the Commissioner to help ensure the humane keeping and treatment of domestic animals, and the viability of businesses and organizations involved in the rearing and keeping of domestic animals.

(1) The Commissioner may promulgate regulations and standards governing the care and well-being of livestock, poultry, or other domestic animals; provided however that such regulations and standards are approved by a minimum of a two-thirds vote of the Domestic Animal Care Board. Factors to be considered in the promulgation of these regulations and standards shall include, but not be limited to, the health, safety, comfort of animals, food safety, biosecurity, animal health, public health, and the financial impact of proposed regulations and standards.

AMENDMENT NO. 194 WITHDRAWN

Mr. Atsalis of West Hyannisport moves to amend House No. 4591, in Section 20, paragraph (b), by inserting at the end the following:-

”; provided further, that a license shall be issued to a federally recognized sovereign nation, the Mashpee Wampanoag Tribe, located in the southeastern Massachusetts region after a state-tribal compact has been reached and IRGRA approved.”.

AMENDMENT NO. 195 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Fennell of Lynn moves to amend House No. 4591 in Section 3, in line 415, by striking out the number “5” and inserting in place thereof the number “7”; and further amend in line 422, after the word “auditing,” by inserting the following: “1 of whom shall have experience in engineering and construction,

1 of whom shall have experience in behavioral health”; and further amend in line 440, by striking out the number “3” and inserting in place thereof the number “4”; and further amend in line 451, by striking the word “three” and inserting in place thereof the word “Five”.

AMENDMENT NO. 196 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Fennell of Lynn moves to amend House No. 4591 in Section 10, after the word “commission” in line 434, by inserting the following: “provide further, that no person shall be eligible to serve on the commission if they or an immediate family member are currently or have previously been employed by any gaming business.”

AMENDMENT NO. 197 CONSOLIDATED “REVENUE”

Mr. McCarthy of East Bridgewater moves to amend the bill in section 52, in line 3017, by inserting after the words “chapter 29” the following:- “provided, however, that sufficient funds have been appropriated to reimburse municipalities for the eligible instructional costs associated with implementing individual education plans of students receiving special education services at 75 per cent of all the approved costs that exceed 4 times the state average per pupil foundation budget under section 5A of chapter 71B. If sufficient funds have not been appropriated, the amount necessary to fulfill the requirements of said section shall be deducted from this 30 per cent and immediately applied to that purpose. Any remaining funds shall then be transferred to the Commonwealth Stabilization Fund; and”

AMENDMENT NO. 198 CONSOLIDATED “REVENUE”

Mr. McCarthy of East Bridgewater moves to amend the bill in section 54, in line 3075, by striking out the word “contiguous”.

AMENDMENT NO. 199 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. McCarthy of East Bridgewater moves to amend the bill by adding the following section:-

“SECTION . All employees of the state racing commission who are employed by the commission upon passage of this act shall be transferred to the Massachusetts gaming commission established under section 12 of this act.”

AMENDMENT NO. 200 CONSOLIDATED “GENERAL GAMING, REGULATION”

Mr. Nyman of Hanover moves to amend the bill by replacing the language in section 36, subsection (v), in line 2695-2704, and adding the following: “Any person who knowingly transmits or receives a wager of any type by any telecommunication device, including telephone, cellular phone, Internet, local area network, including wireless local networks, or any other similar device or equipment or other medium of communication, or knowingly installs or maintains said device or equipment for the transmission or receipt of wagering information shall be punished by imprisonment in a jail or house of correction for not more than two years, or by a fine of not more than \$25,000, or both such fine or imprisonment. As used in this sub-section, the term ‘wager’ shall not include operating, or participation in, poker, chess, bridge, mahjong or any other game or tournament where success is predominantly determined by a player’s skill, where the structure of the game or tournament provides for competition only between and among participants, and where the person operating the game or tournament is not a participant in the game or tournament.”

AMENDMENT NO. 201 CONSOLIDATED “LICENSING”

Representatives Falzone of Saugus, Keenan of Salem, Ehrlich of Swampscott, Guyer of Dalton, Wolf of Cambridge, Hecht of Watertown, Arciero of Westford, Patrick of Falmouth, Benson of Lunenburg, Peisch of Wellesley, and Gregoire of Marlborough move to amend the bill in Section 1, by inserting after line 208 the following text:-

“Entertainment venue”, any nonprofit or for profit entity that charges admission or fees for live or broadcast performances or shows.

It is further moved that the bill be amended in Section 12, Chapter 23K, Section 17, subsection (b) by adding the following provision:--

(vi) the number and seating capacity of entertainment venues located at the proposed category 1 establishment, the types of performers, shows and number of events which the proposed establishment intends to host in these venues, and any plans to jointly market, subsidize, or share programming with area nonprofit entertainment venues.

It is further moved that the bill be amended in Section 12, by inserting after line 1417 the following provision:--

(iii) the number and seating capacity of entertainment venues located at the proposed category 1 establishment, the types of performers, shows and number of events which the proposed establishment intends to host in these venues, and any plans to jointly market, subsidize, or share programming with area nonprofit entertainment venues.

AMENDMENT NO. 202 CONSOLIDATED “REVENUE”

Representative Falzone of Saugus moves to amend the bill in Section 12, Chapter 23K, Section 51 by inserting after line 2978 the following subsection:--

(c) \$15,000,000 to the Massachusetts Cultural Facilities Fund, established by section 42 of Chapter 23G of the General Laws;

; and in Section 12, Chapter 23K, Section 52, subsection (b), provision (e) by striking the words “thirty per cent” in line 3016 and replacing it with “twenty seven per cent”.

; and in Section 12, Chapter 23K, Section 52, subsection (b), by inserting after line 3020 the following provision:--

(g) three percent shall be transferred to the Cultural Stabilization Fund, established by section 63.

; and in Section 12, Chapter 23K by adding the following Section:--

Section 63: There is hereby established and set up on the books of the commonwealth fund to be known as a Cultural Stabilization Fund to be under the control of the Massachusetts Cultural Council. The cultural stabilization fund shall be credited any monies transferred under section 51 and all monies credited to or transferred to the fund from any other fund or source pursuant to law.

AMENDMENT NO. 203 CONSOLIDATED “REVENUE”

Ms. Clark of Melrose moves to amend House Bill 4591 in Section 55, by inserting after line 3101 the following text:-:

“The priority for this funding will be to raise all communities in the Commonwealth of Massachusetts to their targeted level of Chapter 70 aid.”

AMENDMENT NO. 204 CONSOLIDATED “REVENUE”

Ms. Clark of Melrose moves to amend House Bill 4591 in Section 59, by inserting after line 3124 the following text:-:

“The priority for this funding will be to raise all communities in the Commonwealth of Massachusetts to their targeted level of Chapter 70 aid within three years of the funds establishment.”

AMENDMENT NO. 205 CONSOLIDATED “LICENSING”

Ms. Clark of Melrose moves to amend House Bill 4591 in Section 12, Subsection 19a, by inserting after line 1439 the following text:

“(viii) utilizing sustainable development principles, including, but not limited to: (1) being certified or capable of being certified as gold or higher pursuant to the U.S. Green Building Council Neighborhood Development Rating System, the green building rating system established by the Leadership in Environmental and Energy Design, or an alternative rating system approved by the executive office of energy and environmental affairs; (2) meeting United States Environmental Protection Agency efficiency standards for the electrical equipment and appliances used by the resort casino; and (3) procuring 10 percent of its annual electricity consumption from renewable sources identified by the division of energy resources pursuant to section 11F of chapter 25A;”

Further, Ms. Clark of Melrose moves to amend House Bill 4591 in Section 12, Subsection 19b, by striking out Section 12, Subsection 19b(i).

AMENDMENT NO. 206 CONSOLIDATED “GENERAL GAMING, REGULATION”

Representative Basile of East Boston hereby moves that H.4591 be amended as follows:

Section 40 of Section 12 is hereby amended by deleting subsections (c) and (d) thereof and inserting in place thereof the following:

“(c) In addition to the taxes imposed under subsections (a) and (b), gaming licensees shall pay a daily assessment of 3 per cent of their gross gaming revenue to the Massachusetts race horse development fund established by section 53.”

And further moves that subsection (d) of Section 20 of Section 12 of is hereby amended by deleting from the last sentence thereof the following word:

“and shall continue to pay the applicable live racing tax required of category 2 licensees”.

AMENDMENT NO. 207 WITHDRAWN

Mr. O’Day of West Boylston, Mr. Walsh of Dorchester, Mr. Wallace of South Boston and Ms. Clark of Melrose move to amend House Bill 4591 by adding that the amount \$15,000,000 be allocated to the Department of Mental Health, Bureau of Substance Abuse Services for the education and treatment of addiction related illnesses.

AMENDMENT NO. 208 REJECTED

Representative Dykema of Holliston moves to amend the bill in the bill be amended in SECTION 12, Chapter 23K, Section 2, by adding the following definition:--

"Surrounding community", any municipality which is both adjacent by land to a host community and any portion of the community is located within a four mile radius of a proposed gaming establishment.

; and in SECTION 12, Chapter 23K, Section 16, by adding the following subsection :--

“(d) No person shall be eligible to receive a category 1, 2 or 3 license without a certified and binding vote in favor of such license on a ballot question at an election in the surrounding communities as defined in Section 2 of this Chapter; provided further that the surrounding communities shall each be reimbursed for their expenses related to the election by the applicant for a category 1, 2 or 3 license.”

An applicant for a category 1, 2 or 3 license shall have certification of ballot approval by the surrounding communities within 3 months of submitting an application for a category 1, 2 or 3 license to the commission; provided, however, that the applicant shall include with the application a certified letter from the clerk of the surrounding community of a date certain for the election within the 3 month period

AMENDMENT NO. 209 CONSOLIDATED “LICENSING”

Mr Walsh of Boston moves to amend the bill, in section 25, subsection (d), by inserting the following at the end thereof:

Construction companies, whether classified as gaming vendors or non-gaming vendors, shall be issued a license upon demonstrating proof of prequalification or certification by any state agency and payment of a reasonable licensing fee.

AMENDMENT NO. 210 CONSOLIDATED “SITING”

Representatives Cabral of New Bedford, Koczera of New Bedford and Quinn of Dartmouth move to amend the bill in line 1473 by inserting after “licenses” the following:-

“, other than a license issued pursuant to section 24”

And moves that the bill be further amended by inserting in line 1486 after “commonwealth” the following:-

“or a license issued pursuant to section 24 in the absence of such compacting”

And moves that the bill be further amended by inserting in line 1600 after “(a)” the following:-

“Other than an applicant for a license issued pursuant to section 24”

And moves that the bill be further amended by inserting in line 1633 after “(c)” the following:-

“Other than an applicant for a license issued pursuant to section 24”

And moves that the bill be further amended by inserting in line 1641 after “licensee” the following:-

“, other than a gaming licensee awarded a license issued pursuant to section 24,”

And moves that the bill be further amended by inserting after line 1702 the following section:-

SECTION 24. (a) The commission may issue one category 1 license, in addition to those authorized pursuant to section 20, if the commonwealth has not entered into a gaming compact with a federally recognized Native American tribe located in the commonwealth by January 1, 2013; provided, however, that the category 1 license issued pursuant to this section shall only be issued to applicants who are qualified under the criteria set forth in this chapter as determined by the commission. In evaluating the location of this category 1 facility, the commission shall take into consideration its proximity to other gaming facilities and how that may impact the policy goals established pursuant to section 1.

AMENDMENT NO. 211 CONSOLIDATED “LICENSING”

Representatives Cabral of New Bedford, Koczera of New Bedford and Quinn of Dartmouth move to amend the bill in line 1437 by inserting after “(vii)” the following:-

“encouraging smart growth development in the commonwealth’s existing urban centers; and (viii)”

AMENDMENT NO. 212 CONSOLIDATED “REVENUE”

Representatives Cabral of New Bedford, Koczera of New Bedford and Quinn of Dartmouth move to amend the bill in lines 2906 and 2907 by striking out the following:-

“the brownfields credit under section 6(j) of chapter 62 , and section 38Q of chapter 63, the historic rehabilitation tax credit under section 6J of chapter 62 and section 38R of chapter 63,”

AMENDMENT NO. 213 CONSOLIDATED “REVENUE”

Representatives Cabral of New Bedford and Koczera of New Bedford move to amend the bill by inserting in line 2987 after “(7)” the following:-

“\$x shall be transferred to the Massachusetts Rail Transit Fund established by section 60;

(8)”

And moves that the bill be further amended in line 3016 by striking the words “thirty per cent” and inserting in place thereof the following:- “twenty per cent”;

And moves that the bill be further amended by inserting after line 3020 the following:-

(g) ten per cent shall be transferred to the Massachusetts Rail Transit Fund established by section 60.”

And moves that the bill be further amended by inserting after line 3020 the following new section:-

“SECTION 60 There is hereby established and set up on the books of the commonwealth a fund to be known as the Massachusetts Rail Transit Fund. The Massachusetts rail transit fund shall be credited any monies transferred under sections 51 and 52 and all monies credited to or transferred to the fund from any other fund or source pursuant to law.”

AMENDMENT NO. 214 REJECTED – ROLL CALL # 340

Mr. Sciortino of Medford, Ms. Provost of Somerville, Mr. Brownsberger of Belmont, Mr. Patrick of Falmouth, and Mr. Garballey of Arlington move to strike the bill in its entirety and replace it with the following:-

Section 1. The Governor of the Commonwealth shall be authorized to convene an Interstate Commission on Regional Casino Market Saturation and Revenue Sharing. The Commission shall invite representatives from the states of Connecticut, Rhode Island, New Hampshire, Vermont, Maine, and New York.

Section 2. The Commission shall conduct a study including, but not limited to:

- a) Market saturation of existing gambling activities in the region, as well as of proposals that might be considered in the next five years within the respective states, including those that might be developed by sovereign nations;
- b) Existing data on the current prevalence of pathological gambling in the region, and its associated costs to the respective states;
- c) Existing research on the correlation between proximity to slot machines and the prevalence of pathological gambling, with consideration given to how proposals for additional slot machines in the respective states might increase the prevalence of pathological gambling
- d) Other regional costs associated with the introduction of additional slot machines

Section 3. The Commission shall come up with recommendations on how to implement an inter-state revenue sharing system from existing slot machine revenues. Such a revenue sharing system shall be contingent upon enactment of legislation within each respective state prohibiting additional slot machines being introduced. The Commission shall include in its report an assessment of the impact of an interstate agreement on the prevention of market saturation and the prevention of increased pathological gambling within the region.

Section 4. The Commission shall issue its findings by December 1, 2012.

AMENDMENT NO. 215

REJECTED – ROLL CALL # 344

Mr. Sciortino of Medford, Mr. Patrick of Falmouth, Ms. Benson of Lunenburg, Mr. Walsh of Dorchester, Ms. Wolf of Cambridge, Mr. Guyer of Dalton, Ms. Clark of Melrose, Mr. Fernandes of Milford, and Mr. Garballey of Arlington move to amend the bill by inserting after section 32 the following sections:

SECTION 32A: Section 47B of chapter 175 of the General Laws is hereby amended by inserting after “(13) autism” the following: “(14) pathological gambling”

SECTION 32B: Section 8A of chapter 176A of the General Laws, is hereby amended by inserting after “(13) autism” the following: “(14) pathological gambling”

SECTION 32C: Section 4A of chapter 176B of the General Laws, is hereby amended by inserting after “(13) autism” the following: “(14) pathological gambling”

SECTION 32D: Section 4M of chapter 176G of the General Laws, is hereby amended by inserting after “(13) autism” the following: “(14) pathological gambling”

AMENDMENT NO. 216 CONSOLIDATED “LICENSING”

Mr Walsh of Boston moves to amend H. 4591., in section 25, subsection (d), by inserting the following at the end thereof:

Construction companies, whether classified as gaming vendors or non-gaming vendors, shall be issued a license upon demonstrating proof of prequalification or certification by any state agency and payment of a reasonable licensing fee